

TOWN OF TYNGSBOROUGH

Office of the Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100

Fax: 978 649-2320

Board of Selectmen Meeting Minutes

Monday October 4, 2010 6:00 P.M.

Town Offices

Member Present: Selectwoman Ashley O'Neill, Selectwoman Elizabeth Coughlin, Selectman Rick Reault, Selectman Rich Lemoine, Selectman Robert Jackson.

Staff: Town Administrator Michael Gilleberto, Admin. Assistant Therese Gay

"The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law."

1. 6:05 P.M Open Meeting

The Chairman opened the meeting, the Board Members were introduced and the agenda was read.

2. New Business

- Liquor License Violation Hearing – Smokey Bones

The Board being notified of violations occurring at the Smokey Bones restaurant has called for a hearing. The hearing was attended by the Board, Town Counsel, the Defendant and his Attorney. The notice was read and the Board voted unanimously on a motion by Selectman Lemoine, second by Selectwoman Coughlin to open the hearing. The Chairman declared there will be no evidentiary portion and the Board voted unanimously on a motion by Selectman Reault, second by Selectman Lemoine to address the finding of violations one (1), two (2), and four (4), the Board will take not action on violation three (3). The Licensee Barbeque Integrated, Inc. d/b/a Smokey Bones BBQ through its Attorney stipulated to the violations and has submitted a letter of corrective actions detailing the remedial actions that has already taken place. The Police Chief was asked for a recommendation, conferred with Town Counsel, the recommendations after reviewing all the circumstances does recommend a one (1) to three (3) day suspension, to be held in Abeyance for 1 year and if there are no recurring problems the suspension will be dismissed. The Licensee shall comply with the stated remedial action. The Board voted unanimously on a motion by Selectman Jackson, second by Selectman Lemoine to suspend the license for two (2) days to be held in Abeyance for one (1) years and the licensee to comply with its 13 point remedial plan. The Board voted unanimously on a motion by Selectwoman Coughlin, second by Selectman Jackson to close the hearing.

- Entertainment License Request – Smokey Bones

The Board received a request for a change in the Entertainment License for Smokey Bones. The request is for the following: disc jockey, vocalist, jukebox, bands (2 guitars, singer, drummer), television, radio/stereo, piped in music, and non gambling poker, charity poker tournaments, also for trivia, jeopardy, family feud, and bones water pong (no alcohol involved). The Attorney representing Barbeque Integrated, Inc. dba Smokey Bones explained that the trivia, jeopardy and family feud are set up by a DJ wired under two t.v. monitors the contestants are given a wireless buzzer used to determine who answers the questions. None of the aforementioned activities will involve a buy in or gambling with actual money. No alcohol will be used as awards as prizes.

The Board voted unanimously on a motion by Selectwoman Coughlin, second by Selectman Lemoine to approve the amended entertainment license request for weekday and Sunday to Barbeque Integrated Inc. dba Smokey Bones.

- Set Special Town Meeting Date

The Board voted unanimously on a motion by Selectman Lemoine, second by Selectman Reault to set the date of Tuesday, November 16, 2010 for the Special Town Meeting to held at 7:00 PM at the Tyngsborough Elementary School, 205 Westford Road.

- Opening/Closing Dates to Submit Articles

The Board after reviewed and some deliberation voted unanimously on a motion by Selectman Lemoine, second by Selectman Reault to open the Special Town Meeting Warrant on Tuesday October 5, 2010 for submission of article, and the closing date will be Wednesday October 20, 2010.

- Sewer Administrator

The Sewer Commissioner has interviewed many applicants and has selected their candidate Christine Miceli and have forwarded her name for appointment by the Board. The Board voted unanimously on a motion by Selectman Jackson, second by Selectman Reault to appoint Christine Miceli as the Sewer Administrator, Christine will start work on Tuesday October 5, 2010.

- Senior Tax Work Off Program – Appointments

The Senior Tax Work Off Program was started a couple of year ago to help the seniors with their taxes. It has worked well and is a good program it is paid through the Assessors' overlay account the formula was arrived at the 5 residents by the amount of money available. Six residents applied for the program this year unfortunately there are only 5 openings. The Board will vote the five applicants this evening and the sixth applicant will be placed first on the next opening. The Board voted unanimously on a motion by Selectwoman Coughlin, second by Selectman Jackson to appoint Rodney Wood, Rita Evicci, Claudette Rondeau, Grace Ann Steed and Rachel Gray for the Senior Tax Work Off Program.

3. Citizen/Business Time

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes. No citizen or businesses present this evening.

4. Old Business

- Eagle Scouts

The Board thanked Mr. Ben Savage and Mr. Steve Hammer for their work at the Library Gardens and at the Vietnam Veterans Memorial. Mr. Hammer created a handicap walkway to better access and enjoy the beautiful flower garden located to the side of the Tyngsborough Library. Mr. Hammer saw a need in helping the handicap access and enjoy the gardens. Mr. Savage worked on beautifying and making the Vietnam Memorial easily accessible. In the Spring Mr. Savage will finish with the plantings and flowers. The young men spoke while a slide show presentation depicted the work they had done. Both projects were beautifully done and are an asset to the community. The Board said thank you Ben, thank you Steve for thinking of our residences and making accessible two beautiful areas in town. Both young me were presented with a letter.

- Board and Commissions Report Form

The Board reviewed the report form presented by the Administrator, some changes were made. The report form is a mechanism which the boards and commissions may use to update the Board bi-monthly on the status of their office.

- Interim Inspector Status

The Board voted unanimously on a motion by Selectwoman Coughlin, second by Selectman Reault to appoint Joe Smith as the Interim Wiring Inspector, Ken Kleynen and Guy Denommee as Interim Plumbing and Gas Inspector.

- Sewer Design and Construction Committee

The Sewer Commission has requested the appointment of a sewer design & construction committee to assist the Commissioners on the upcoming sewer projects. The Committee will consist of three

(3) Sewer Commissioners, one (1) member from the Board of Selectmen, one (1) member from the Finance Committee, and one (1) member each from the Planning Board and the Economic Development Committee and three (3) citizens at large, one each from the three phase areas. A consultant will be identified to work with the commission. The Board voted unanimously on a motion by Selectwoman Coughlin, second by Selectman Jackson to create the Sewer Design and Construction Committee.

5. Correspondence

The Board voted unanimously on a motion by Selectman Reault, second by Selectman Jackson to accept the correspondence as read.

6. Selectmen's Reports

- Selectman O'Neill – Strategic Financial Planning – No report this evening.
- Selectman Coughlin – Energy and Environmental Affairs/Licenses/Inspections

Selectwoman Coughlin announced the Lowell Chamber of Commerce's Business Day on October 7th at 7:30 AM, Senator Panagiotakos will be the keynote speaker; everyone is invited. National Grid has funds available and are preparing an energy audit on town buildings. The scheduled meeting with the residents of Pawtucket Blvd on the realignment changes went as requested, Representative Colleen Garry, Mass DOT Representative Carrie Lavalley and Selectwoman Coughlin attended the residents concerns were discussed and be addressed, this should not delay the bidding process which will be awarded in January. The razing of the vacant building will be the first item addressed.

- Selectman Reault – Northern Middlesex Council Of Government

Selectman Reault wishes Senator Panagiotakos well and is sorry to see him step down.

- Selectman Lemoine – Economic Development

Selectman Lemoine attended the meeting with the Tyngsborough Housing Authority and the Tyngsborough Affordable Housing Partnership Committee. There were many questions and are reaching out to DCHCD for guidance. A meeting will take place in October at the Housing Office at Brinley Terrace. Selectwoman O'Neill had just received a message that the meeting will be on Wednesday October 20th. Selectman Lemoine reminds everyone that an important election is coming up in November. He extended congratulation to Senator Panagiotakos for all the years he served and a thank you for his assistance to the community. He has met with all of the persons contending for the Senate race and Ms Donoghue is qualified and is willing to serve as well. Selectman Lemoine made a motion that the Board show solidarity and support Ms Donoghue for State Senate, the motion was second by Selectman Jackson, the vote was unanimous.

- Selectman Jackson – The Early Childhood Center

Selectman Jackson attended the September 28th meeting of the TECC committee. Many good ideas and questions came from the meeting. Superintendent Ciampa will take the inquiries and look into the possibilities of what can be done with the bldg.

7. Town Administrator's Reports

Report is available online at www.tyngsboroughma.gov

- Response to Selectmen's Requests

A copy of Verizon's response concerning poles and wires on Kendall Road. A copy of a memorandum to the Board of Appeals per the vote of the Board of September 23rd. Town Meeting list of potential items and a schedule for preparation is included in your binder. The Updated goals list is attached to the report. Winslow School has secured doors and we are soliciting quotes to secure the windows on the basement level. Senior Tax Work-Off applications are in the binders. The town has received certification for the Commonwealth Capital program. We received 39 points and the Sewer Commission's consultants are confident that our standing for state funding has significantly improved. The following documents were submitted letters to MassDOT, Superintendent, Planning Board and an appointment letter for Don Crowell.

- Budget

The Superintendent intends to utilize recently-awarded federal education aid to stabilize their budget in FY2012. The School will also be entering into a lease for a pick up truck and intend to request a warrant article to re-appropriate previously allocated money for floor scrubbers for the truck.

- **Departmental Information**

The Sewer Commission's finalist is before the Board this evening. The applications for the wiring and plumbing inspectors are in your binder for review. The Town has not properly endorsed a job description for either position so I am soliciting drafts from other communities. The interim building inspector will be working Tuesday and Thursday and is on call as needed. Backup coverage is in place as well. Department hours – a one-pager is attached. I am working with school staff to review alternatives to control flooding issues at the Elementary School access road.

- **Other**

Old Town Hall – I am in contact with the previously-contracted designer to arrange a contract for bid document preparation. The intention is to work within the \$75,000 appropriation from the May Town Meeting. The Greater Lowell Chamber of Commerce is sponsoring Town Business Day this Thursday beginning at 7:30 am at Town Hall. I will be attending a Manager's seminar after Town Business day on Thursday, hosted by MMMA.

8. 8:30 P.M. Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- **Collective Bargaining**

The Board voted on a motion by Selectman Reault, second by Selectwoman Coughlin to enter into Executive Session to discuss collective bargaining and to return to open session only to adjourn. Roll Call Vote: Selectman Jackson, yes; Selectman Lemoine, yes; Selectwoman Coughlin, yes; Selectwoman O'Neill, yes; Selectman Reault, yes. The Board entered into Executive Session at 9:30 PM

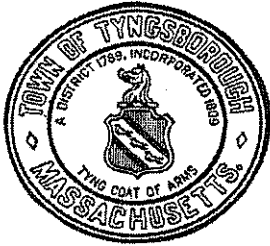
9. 9:30 P.M. Adjournment

The Board voted unanimously on a motion by Selectman Reault, second by Selectman Jackson to adjourn the meeting. The meeting adjourned at 8:45 PM.

Respectfully Submitted,

Therese Gay
Admin Assistant

Approved on Monday, November 8, 2010



TOWN OF TYNGSBOROUGH

Board of Selectmen
25 Bryant Lane
Tyngsborough, MA 01879
Tel: 978 649-2314 Fax: 978 649-2310

September 16, 2010

Mr. Mike Herchuck, Manager
Barbeque Integrated, Inc.
D/B/A Smokey Bones BBQ #7515
431 Middlesex Road
Tyngsborough, MA 01879

Re: Barbeque Integrated, Inc.
D/B/A Smokey Bones
Violation of Regulations

Dear Mr. Herchuck:

You are hereby notified that the members of the Board of Selectmen, acting in their capacity as Licensing Commissioners, will conduct a hearing under the provisions of Chapter 138, Sections 12 and 64, of the Massachusetts General Laws, as amended, on charges made by the Tyngsborough Police Department regarding certain violations of the Town's Alcoholic Beverages Regulations (the "TABR") and the State's Alcoholic Beverages Control Commission (the "ABCC") regulations, to wit:

- (1) Underage Drinking: Specifically, Michaela J. Longo, date of birth, May 17, 1990, and underage patron drinking at the bar.

DATE OF OFFENSE: August 21, 2010:

TIME OF OFFENSE: Approximately 10:00 p.m.:

VIOLATION: TABR Section 14 and 15, M.G.L. c.138, s 34, and
204 CMR 2.05 (2).

- (2) Failure to Maintain Order: Specifically, failure to maintain order and decorum in the premises. "...ensuring safe and orderly facilities", to wit: Allowed dancing on top of the bar so as to cause an unsanitary and unsafe condition and/or a disorderly facility.

DATE OF OFFENSE: August 25, 2010;

TIME OF OFFENSE: Approximately 8:00 p.m.;

VIOLATION: TABR, Section 11.

- (3) Entertainment: Allowing entertainment not listed on the entertainment license, specifically, a poker tournament.

DATE OF OFFENSE: August 25, 2010;

TIME OF OFFENSE: Approximately 8:00 p.m.;

VIOLATION: TABR, Section 39, ABCC Regulations, 204 CMR 2.05(2).

- (4) Failure to comply with all laws and regulations, specifically all health and sanitary codes.

DATE OF OFFENSE: August 25, 2010;

TIME OF OFFENSE: Approximately 8:00 p.m.;

VIOLATION: TABR, Section 5.

A copy of the Town Alcoholic Beverages Regulations is attached.

The hearing on the above violations is scheduled for Monday, October 4, 2010 at 6:05 p.m. at the Town Hall, Community Room, 25 Bryant Lane, Tyngsborough, MA 01879.

Very truly yours,

BOARD OF SELECTMEN


Therese Gay
Administrative Assistant

TG

Cc: Chief William Mulligan, Tyngsborough Police Department
Alcoholic Beverages Control Commission
Charles J. Zaroulis, Town Counsel
Licensing Solutions, Inc. Ms. Kathy Shaver License Administrator

Date: September 16, 2010

Delivered in hand to: Michael Hancock

By: William J. Mulligan
(Print Name)

William J. Mulligan
(Police Officer's Signature)

LAW OFFICE OF
NICOSIA & ASSOCIATES, P.C.

PETER J. NICOSIA (MA, NH & ME)

LAWRENCE M. BEANE (MA)

259 MIDDLESEX ROAD

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LICENSE HOLDER HEARING MEMORANDUM

License Holder: Barbeque Integrated, Inc. d/b/a Smokey Bones BBQ #7515

Licensing Authority: Tyngsborough Board of Selectmen

Licenses: All Alcoholic to be Drunk on Premises and
Weekday & Sunday Entertainment Licenses

Alleged License Violations: 1. Underage drinking
2. Failing to ensure safety and orderly facilities
3. Unlawful poker tournament
4. Failure to comply with health & sanitary codes

Dates of Alleged Violations: August 21, 2010 and August 25, 2010

Hearing Date: October 4, 2010

STIPULATED FACTS

(Preamble)

1. The license holder has been issued its subject licenses since 2002 and has no prior determined license violations.
2. The license holder is a substantial chain restaurant & bar operation in Tyngsboro with 66 other locations around the country. The license holder strongly desires to remain a valued and respected member of the Tyngsborough business community. The license holder offers diverse restaurant, bar and entertainment services which the residents of Tyngsboro consistently enjoy.
3. Both David Terry (Executive Vice President of Operations-Florida Corporate) and Michael Herchuck (General Manager Tyngsboro) will attend the October 4, 2010 license violation hearing along with legal counsel.
4. In that regard, the license holder does not contest the occurrence of the events set forth in the Tyngsborough Police Department records and therefore the Police Department need not formally present its case. These events are a singular occurrence, not the regular practices of the license holder and will never occur again. Moreover, as set forth below the license holder is immediately

implementing a comprehensive remedial action plan to ensure that such events do not occur again.

(Specific Events)

5. On August 21, 2010, a patron of the license holder named Michaela Longo requested to be served alcoholic beverages. Ms. Longo was appropriately carded by the bartender. Ms. Longo produced a valid Massachusetts Driver's License bearing an identity of an individual whom appeared to the bartender to be Ms. Longo whom was of legal drinking age. It was later discovered that the ID was that of another person and not Ms. Longo. The license holder believes that its bartender acted reasonably under the circumstances pursuant to M.G.L. c.138. This was not a situation where either "no id" was asked for or a "fake id" was produced and disregarded. As such, this is mitigating factor to be considered.
6. On August 25, 2010, certain individuals did in fact climb up on the bar at the licensed premises and obtain alcohol as depicted. These occurrences were brief in duration and occurred while the General Manager was temporarily absent from the premises. It is clear that the individual left in charge exercised a clear lapse in judgment and control over the licensed premises that would not have been exercised by the General Manager.
7. On August 25, 2010, the license holder did in fact conduct a Texas Hold Em poker tournament. However, the tournament was not violative of M.G.L. c.271 or the Massachusetts Attorney General's Opinion on poker tournaments. There was no buy in. There was no gambling of actual money. There was a cash prize which is lawful. There is no section on the existing entertainment license application for "poker" entertainment and as such the license holder did not recognize that such specificity of activities were required. The license holder did possess at the time a license for "live entertainment" and reasonably believe that poker was one such type of live entertainment. There was no intentional wrongdoing here in this regard.
8. The Face Book postings were created by a marketing website person for the license holder that often attends license holder events for purposes of creating marketing materials. It was not the prior regular practice for the General Manager to check every single posting made by the marketing person on the Face Book site. For obvious reasons as described below such protocol has changed. Once the General Manager became aware of the posting the pictures were immediately removed from the site. Had the General Manager seen the proposed postings, such postings would never have occurred.

(Detailed Remedial Action Plan)

9. The license holder has in fact applied already for an amended Weekday and Sunday Entertainment License specifying all intended entertainment activities.

10. The license holder is immediately requiring all managers and bartenders to re-complete a new TIPS certification program. Moreover, the individuals in question have been re-assigned pending such re-training.
11. The license holder is purchasing two Eye-D-Tech Fake ID Detectors which are recommended by the Massachusetts Alcoholic Beverage Control Commission.
12. The license holder is immediately instituting a "card everyone" policy regardless of age or appearance. With regard to appearance, if the appearance of an individual is in question, the individual will be asked to produce a second form of ID along with have a secondary check of both ID's by the General Manager.
13. Local licensing legal counsel has re-trained the General Manager and provided the same with the latest ABCC and town of Tyngsboro regulations on alcohol service and the so-called "happy hour" regulations. Education arising from the Attorney General's Opinion on Poker Tournaments and Non-Alcoholic Gaming have also been provided by local licensing counsel to the General Manager.
14. The license holder has obtained updated ID Checking books which are now placed around the licensed premises for the employees.
15. The license holder corporate has now also revised its training materials as it pertains to responsible alcohol service which will include internal re-testing and corporate "stings" of its employees.
16. The license holder will be immediately changing its last call policy with no service after 1:30 am to have all patrons out of the establishment by 2:00 am even though the town By-Laws allowing 15 minutes after the 2:00 am closing time to do so.
17. The license holder is reposting signs through the licensed premises to highlight the alcohol consumption laws and the internal business policies highlighted herein.
18. The license holder is implementing a reward program for its employees who catch "culprit patrons" attempting to violate the alcohol laws and business policies.
19. The license holder is also re-training all personnel on the health and sanitary laws regarding food service, alcohol service and table/bar top activities. In that regard, all food service and consumption will take place with patrons seated at a bar or at a table as the initial point of service.
20. The license holder will now require that the General Manager approve each and every Face Book and other website posting prior to its occurrence.

21. The license holder is also instituting a "no tolerance" policy for any employee who willfully or intentionally violates any of the foregoing.

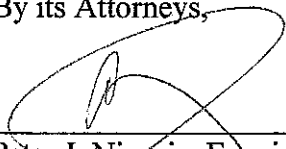
(Penalty Recommendation)

22. The license holder requests that it be issued a "warning" for the alleged violations #1,2 & 4 above which relate to its liquor license. This request stems from the fact that this is not the license holder's course of conduct and this is merely a bump in the road of a substantial Tyngsborough business with past and future longevity. There are no prior violations in the past 8 years of the business' existence which is a mitigating factor. With regard to the underage drinking there was a valid id asked for and produced. With regard to the other instances of conduct, such were brief in time during a brief time period when the General Manager was not on premises. Moreover, the license holder has proposed and will implement an aggressive remedial action plan going forward to ensure all of the foregoing does not occur again.
23. With regard to alleged violation #3 above that relates to the entertainment license, the license holder asks that no violation be found. It conducted a poker tournament that was fully lawful under state law. Moreover, the town and the license holder (as with other license holders in town) are encountering this "poker" issue as a novel issue. The application for the license is ambiguous in that it did not contain a poker option and the license holder did not believe it had to specify each and every possible activity under the "other" section of the application when it has been issued a "general" entertainment license for "live entertainment"—a category one could soundly argue included non-gambling poker under M.G.L. c.140.

RESPECTFULLY SUBMITTED,

Barbeque Integrated, Inc. d/b/a Smokey Bones BBQ #7515

By its Attorneys,



Peter J. Nicosia, Esquire
Nicosia & Associates, P.C.
PO Box 721, 259 Middlesex Road,
Tyngsboro, MA 01879
T: 978-649-4300
F: 978-649-9306
E: nicosia@nicosia-associates.com

9/14/2010

Smokey Bones Bar & Fire Grill

431 Middlesex Rd.

Tyngsborough, MA 01879

To whom it may concern,

This is a copy of a letter sent to Tyngsborough Police Chief Mulligan outlining our plan of action regarding the issues that he and I discussed on August 25th. Please submit this to the Board of Selectman for their review. Smokey Bones is committed to erasing the concerns that were discussed, and to being a model company in the Tyngsborough community. Thank you for your time.

Sincerely,



Mike Herchuck

General Manager

Smokey Bones Bar & Fire Grill

Tyngsborough Massachusetts

September 2, 2010

Smokey Bones Bar & Fire Grill

431 Middlesex Rd.

Tyngsborough, MA 01879

Dear Chief Mulligan,

Thank you for taking the time to meet with me on August 25th. Smokey Bones is committed to being a model company in the Tyngsboro community and will work diligently to ensure that continues into the future. We are taking proactive steps that we feel will serve as a model for other restaurants and bars to follow regarding Responsible Service of Alcohol.

In regards to the issue of Texas Hold Em' tournaments, I pledge to work closer with our licensing company and your department when questions arise regarding what falls within the parameters of our license issued by the town. In the future we hope to be able to add Texas Hold Em' back to our schedule of events, and are committed to doing it in accordance with town and state guidelines.

We have recently been advised and identified on our own, minors using fake ID's for ordering alcohol in our restaurant. While I believe that the guest who was identified in the photos was asked for, and produced an ID on two separate occasions, and she advised your department of her intent to use a fake ID, we must continue to be diligent in this process. We have already taken the following steps to ensure that underage drinking does not occur at our restaurant:

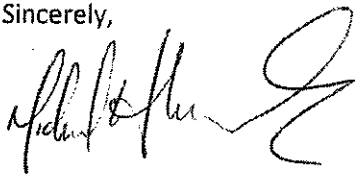
- Smokey Bones is committed to having all managers and bartenders complete a TIPS certification course, which will be completed by the end of next month.
- Purchased two Eye-D-Tech Fake ID Detectors, which the company states are used by the state ABCC Investigators to verify the authentication of ID's.
- Obtained updated ID Checking Guide books and placed around the restaurant and bar to allow easy access for reference when checking ID's.
- Reviewing Smokey Bones training materials as it pertains to responsible service of alcohol with all applicable employees, testing employees for understanding, and revalidating everyone. They all understand that failure to properly check ID's, and/or serving alcohol irresponsibly will lead to disciplinary action, up to termination.
- Changed our "Last Call" policy to ensure that we are providing enough time for our guests to safely finish their night, and exit in a timely manner. We now start last call at 1:15 am, no drinks are served after 1:30 am, and all guests are required to leave the building by 1:45 am.
- We have signs posted throughout the restaurant, which clearly define alcohol consumption laws, and Smokey Bones policy.

- Implemented a program in the restaurant which rewards servers and bartenders who identify minors attempting to purchase alcohol, or provides information that helps us eliminate irresponsible alcohol service

I also wanted to address your concerns about the questionable behavior that was occurring at the bar. I have met with each manager individually, and as a team to review our expectations of what would be unacceptable behavior. We discussed how to identify situations that could lead to this behavior, and how to communicate with our employees and guests about how to remain safe, responsible, and adhere to all applicable laws, while still having a good time. The management team understands what this level of accountability means, including heightened awareness. I am constantly monitoring any needed realignment of manager responsibilities to ensure all staff meet our expectations.

Thank you again for your time to discuss our restaurant operations and how to better our service to guests. Through this process I have learned a lot and am committed to achieving great results based upon our implementation of the plans outlined in this letter. I hope to eliminate your concerns, and regain the confidence and trust of you, your department and the residents of Tyngsborough. Please let me know if you have any questions or if you have any suggestions on how I could make this more effective.

Sincerely,



Mike Herchuck

General Manager

Smokey Bones Bar & Fire Grill

Tyngsborough Massachusetts



William F. Mulligan
Chief of Police

Town of Tyngsborough

Police Department
20 Westford Road

Tyngsborough, Massachusetts 01879-0549



TEL: (978) 649 - 7504
FAX: (978) 649 - 2324

2010 AUG 26 PM 11:05
TYNGSBOROUGH, MA.

To: Michael Gilleberto BOS
From: Chief William F. Mulligan
Re: Smokey Bones Restaurant/Texas Hold 'EM Tournament /Underage drinking
Date: August 26, 2010

On August 24, 2010 Sergeant Charles Chronopoulos received a report that the Smokey Bones restaurant in Tyngsborough was holding "Texas Hold-EM Tournaments each Sunday starting at 8:00pm the last one being August 22, 2010. On August 5, 2010 Sergeant Christopher Chronopoulos had told the on duty manager Brigida Elliott that these should tournament should cease. At that time we believe these tournaments did not meet state law section 7 Chapter 271 which generally prohibits lotteries.

I had asked attorney Charles J. Zaroulis to research this as we had a similar case with Maxamillians Billiards. (See Attorney Zaroulis opinion report) He stated that these tournaments are not illegal if they follow the rules as set out in an Attorney General's advisory opinion date June 2005. (See opinion)

In his opinion attorney Zaroulis did state if businesses wanted to hold poker tournaments that they would need to apply for an entertainment license from the Board of Selectmen.

On August 24, 2010 while Sergeant Charles Chronopoulos was investigating the Smokey Bones restaurant he received information that on the Smokey Bones Face Book page there were photographs of an underage female who appeared to being drinking at the restaurant (see photos) We were able to identified this person as a 20 year old residence of Dunstable MA. I asked Detective Sergeant Richard Howe to contact this person (See Howe's report) This person reported that she had gone to the restaurant with a friend's identification who was 21 year of age; she did in fact consume alcoholic beverages. However no one asked her for identification.

On August 25, 2010 the manager in charge of the Smokey Bones restaurant one Michael Herchuck came to the Tyngsborough Police Department he was interviewed by Sergeant Christopher Chronopoulos (See Sgt's report) At that time the manager was once again told to cease holding these poker tournaments until he applies for an entertainment license from the Board of Selectmen. He was also told we had evidence of under age drinking, as

well as photographs of patrons and or employees standing on the bar at the restaurant. He was told I would be sending this information as well as the related reports to the Board of Selectmen and the Town Administrator.



William F. Mulligan
Chief of Police

Town of Tyngsborough

Police Department
20 Westford Road

Tyngsborough, Massachusetts 01879-0549 MA



TEL: (978) 649 - 7504
FAX: (978) 649 - 2324

To: Michael Gilleberto Town Administrator/Board of Selectmen
From: Chief William F. Mulligan
Re: Smokey Bones Poker Tournaments
Date: August 6, 2010

On August 5, 2010 I requested Sgt. Christopher Chronopoulos to go to the Smokey Bones restaurant; we had received information that they had been holding poker tournaments at that location on Sunday nights. I told the sergeant that if this were the case to inform the Manager that poker tournaments are illegal, they must meet the standard of Massachusetts General Laws under section 7A of Chapter 271.

Sgt Chronopoulos did respond to the Smokey Bone Restaurant where he advised the manager to cease these poker tournaments. (See Attached Report)

If you should have any questions or concerns please let me know.

NARRATIVE FOR PATROLMAN CHRISTOPHER J RIDER

Ref: 10-51-OF

Entered: 01/17/2010 @ 0256	Entry ID: 28
Modified: 01/17/2010 @ 0547	Modified ID: 28
Approved: 01/17/2010 @ 0617	Approval ID: S11

This incident took place on Sunday, 17JAN10 at 2:13 am. I observed approximately 15-20 people standing in front of the main entrance of Smokey Bones so I stopped in to move people along as the establishment was closed. I walked in and spoke with the staff and asked if they were aware of the large group still outside. As I spoke to a hostess I observed a group of people still at the bar. I walked towards the bar area and observed approximately 20-25 people all grouped together on the far side of the bar. As I approached I observed at least 8-10 people drinking beer from large glass mugs. Many of the beers people were drinking were more than half full, it did not appear that they were just finishing up. As I approached the group I could see several people put their drinks down upon seeing me. I asked a bartender to get who was in charge so I could briefly speak with them. As I waited the staff started clearing away the drinks off the bar and dumping them out and some of the people started to head for the door. I spoke briefly with an assistant manager and advised her that I observed numerous people drinking at 2:15 am and that they needed stop serving at 2:00 am.

Officer Christopher Rider #28



Tyngsborough Police Department
Incident Report

Page: 1
01/19/2010

Incident #: 10-51-OF
Call #: 10-1067

Date/Time Reported: 01/17/2010 0213
Report Date/Time: 01/17/2010 0251
Status: No Crime Involved
Reporting Officer: Patrolman Christopher Rider
Approving Officer: Sergeant Mark Bourque

Signature: _____

Signature: _____

EVENTS(S)

LOCATION TYPE: Restaurant/Cafeteria
SMOKEY BONES
431 MIDDLESEX RD
TYNGSBOROUGH MA 01879

Zone: CAR 1 AREA A

1 BAR CHECK

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
---	-----------	-------------	-----	------	-----	-----	-------

1	SMOKEY BONES 431 MIDDLESEX RD TYNGSBOROUGH MA 01879	BUSINESS					
---	---	----------	--	--	--	--	--



Tyngsborough Police Department
Incident Report

Page: 1
08/25/2010

Incident #: 10-670-OF

Call #: 10-14789

Date/Time Reported: 08/05/2010 1815
Report Date/Time: 08/05/2010 1916
Status: No Crime Involved
Reporting Officer: Sergeant Christopher Chronopoulos
Approving Officer: Sergeant Christopher Chronopoulos

Signature: _____

Signature: _____

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	ELLIOTT, BRIGIDA 431 MIDDLESEX RD TYNGSBOROUGH MA 01879	F	W	00	NOT AVAIL	978-649-5410

Military Active Duty: N
BODY: NOT AVAIL.
DOB: NOT AVAIL.
LICENSE NUMBER: NOT AVAIL.

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: UNKNOWN

[CONTACT INFORMATION]

Home Phone (Primary) 978-649-5410

EVENTS(S)

LOCATION TYPE: Restaurant/Cafeteria
MOKEY BONES
431 MIDDLESEX RD
TYNGSBOROUGH MA 01879

Zone: CAR 1 AREA A

1 FOLLOW UP

NARRATIVE FOR SERGEANT CHRISTOPHER CHRONOPOULOS

Ref: 10-670-OF

Entered: 08/05/2010 @ 1924 Entry ID: S8
Modified: 08/05/2010 @ 2247 Modified ID: S8
Approved: 08/05/2010 @ 2246 Approval ID: S8

(01) On the 5th of August 2010, (Thursday) at approximately 1815hrs I responded to Smoke Bones Bar and Fire Grill. I spoke with the Manager Brigida Elliott. I advised Brigida that the Tyngsborough Police received information that Smoke Bones has hosted poker tournaments on Sunday evenings with a cash payout, and that there was a poker tournament scheduled for this coming Sunday.

(02) Brigida said that poker tournaments are played on Sunday's. I asked her if the poker tournament had a cash payout, she said the winner would get cash although no one pays into the tournament. I asked Brigida if Smokey Bones solely ran the poker tournament, she said that another person ran the tournament that was paid separately. I told Brigida to speak with her General Manager and advise them that Chief William Mulligan of the Tyngsborough Police Department commanded that this activity of the poker tournaments must cease from this point forward.

(03) Brigida said that she understood and assures that there will be no further poker tournaments.

Sgt. Christopher Chronopoulos



Tyngsborough Police Department
Incident Report

Page: 1
08/06/2010

Incident #: 10-670-OF
Call #: 10-14789

Date: Time Reported: 08/05/2010 1815
Report Date/Time: 08/05/2010 1916
Status: No Crime Involved
Reporting Officer: Sergeant Christopher Chronopoulos
Approving Officer: Sergeant Christopher Chronopoulos

Signature: _____

Signature: _____

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	ELLIOTT, BRIGIDA 431 MIDDLESEX RD TYNGSBOROUGH MA 01879	F	W	00	NOT AVAIL	978-649-5410

Military Active Duty: N
BODY: NOT AVAIL.
DOB: NOT AVAIL.
LICENSE NUMBER: NOT AVAIL.
COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: UNKNOWN

[CONTACT INFORMATION]

Home Phone (Primary) 978-649-5410

#	EVENTS (S)
	LOCATION TYPE: Restaurant/Cafeteria MOKEY BONES 431 MIDDLESEX RD TYNGSBOROUGH MA 01879 Zone: CAR 1 AREA A
1	FOLLOW UP

NARRATIVE FOR SERGEANT CHRISTOPHER CHRONOPOULOS

Ref: 10-670-OF

Entered: 08/05/2010 @ 1924 Entry ID: S8
Modified: 08/05/2010 @ 2247 Modified ID: S8
Approved: 08/05/2010 @ 2246 Approval ID: S8

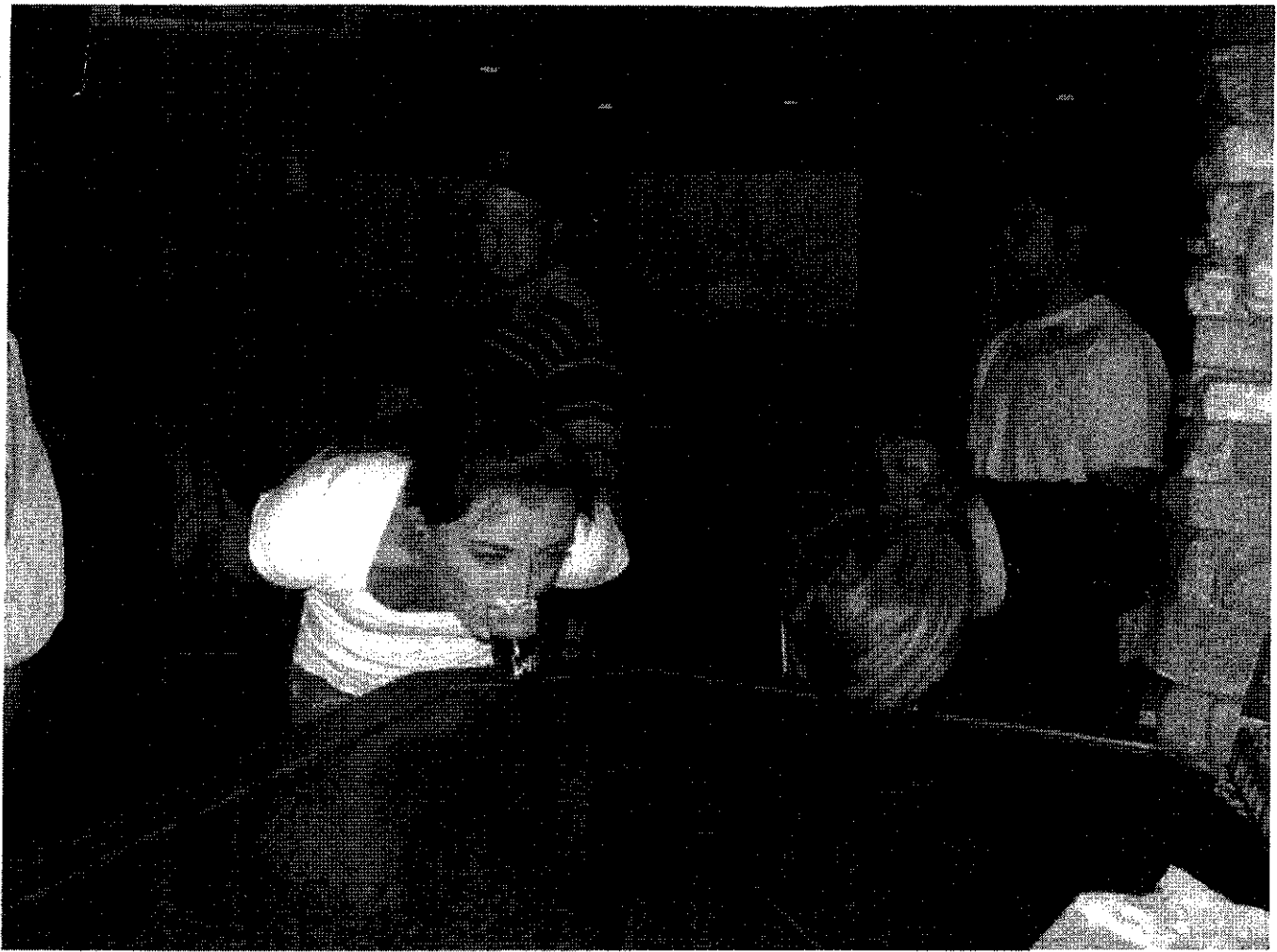
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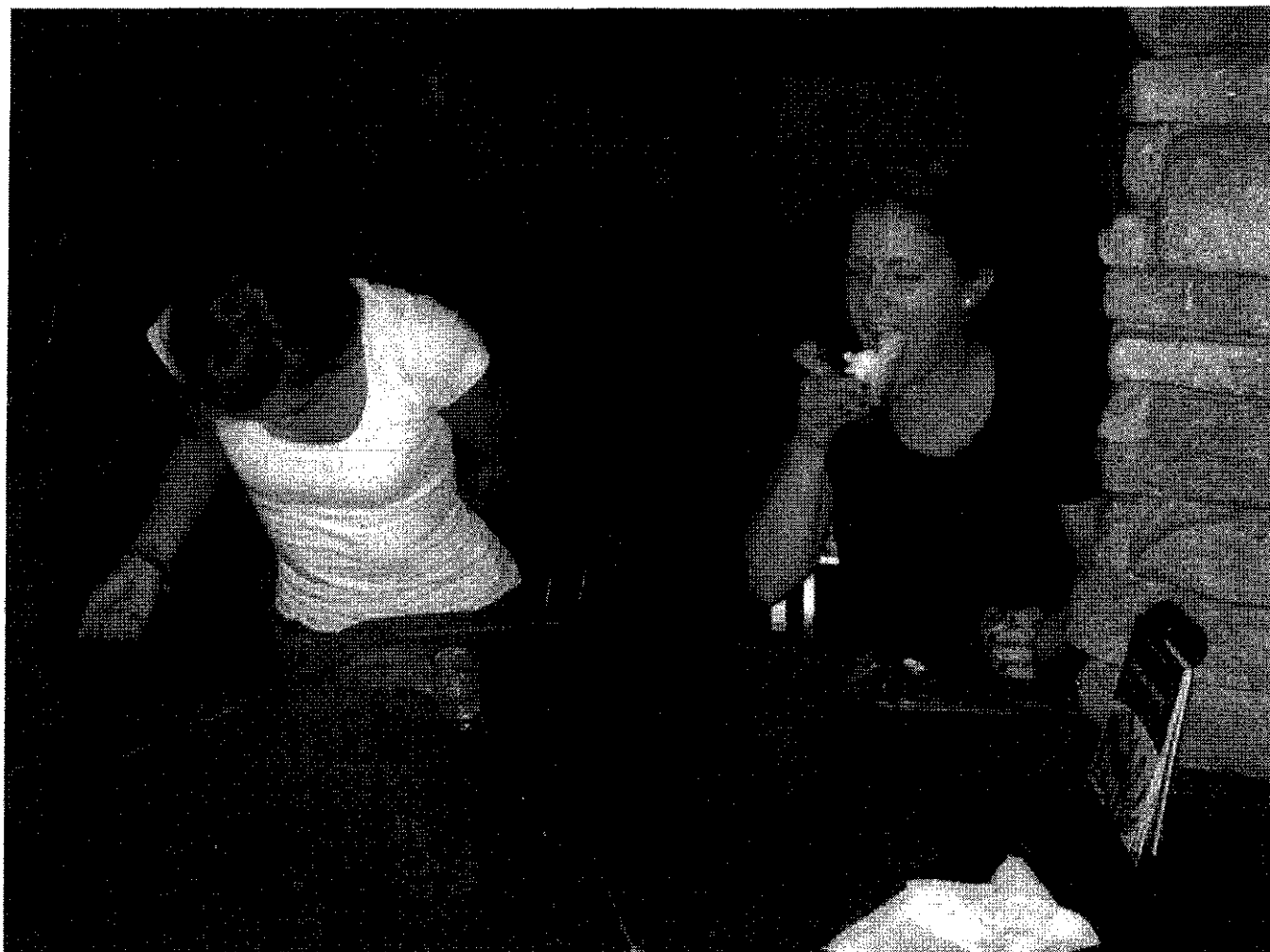
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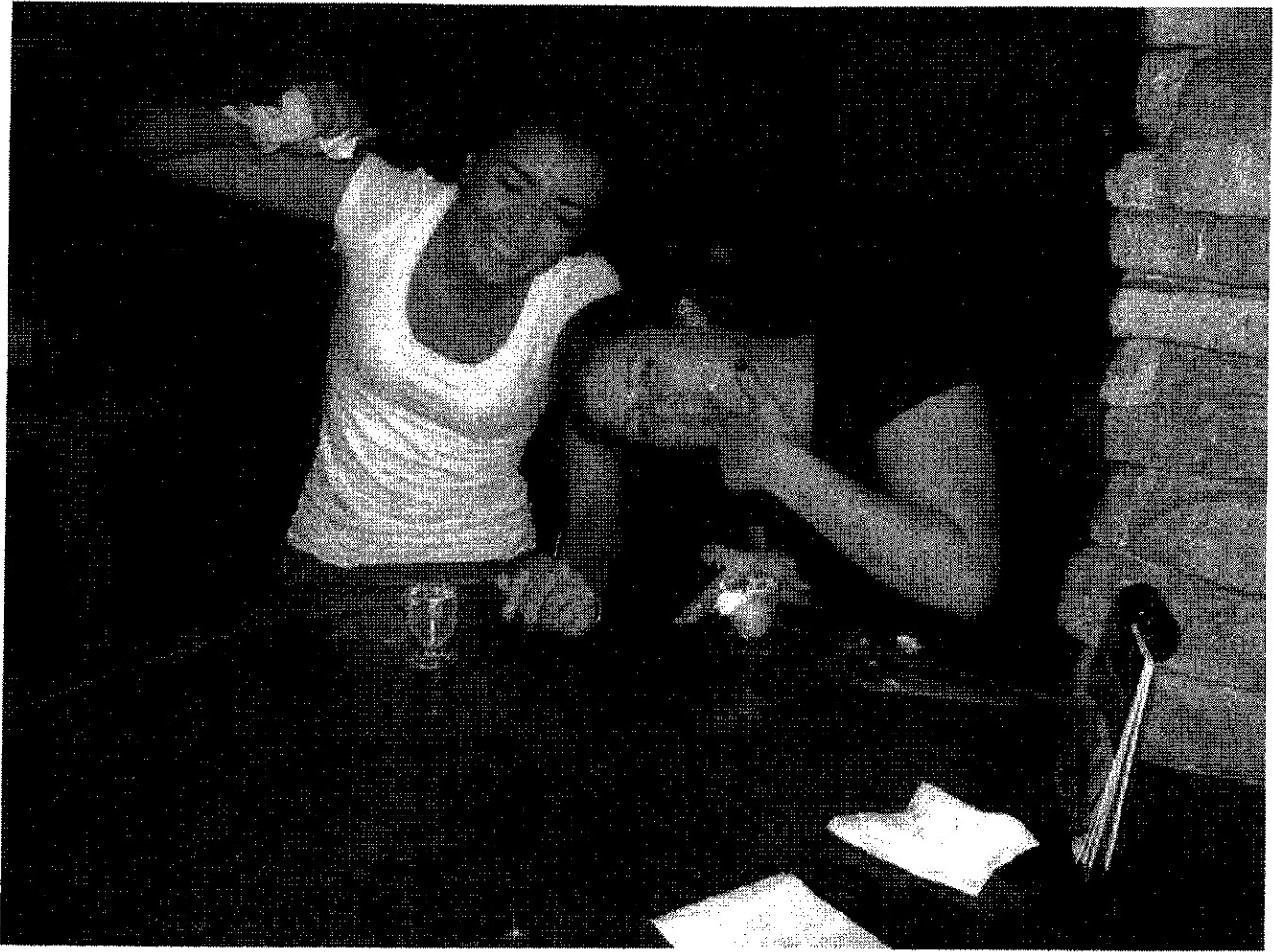
(03) Brigida said that she understood and assures that there will be no further poker tournaments.

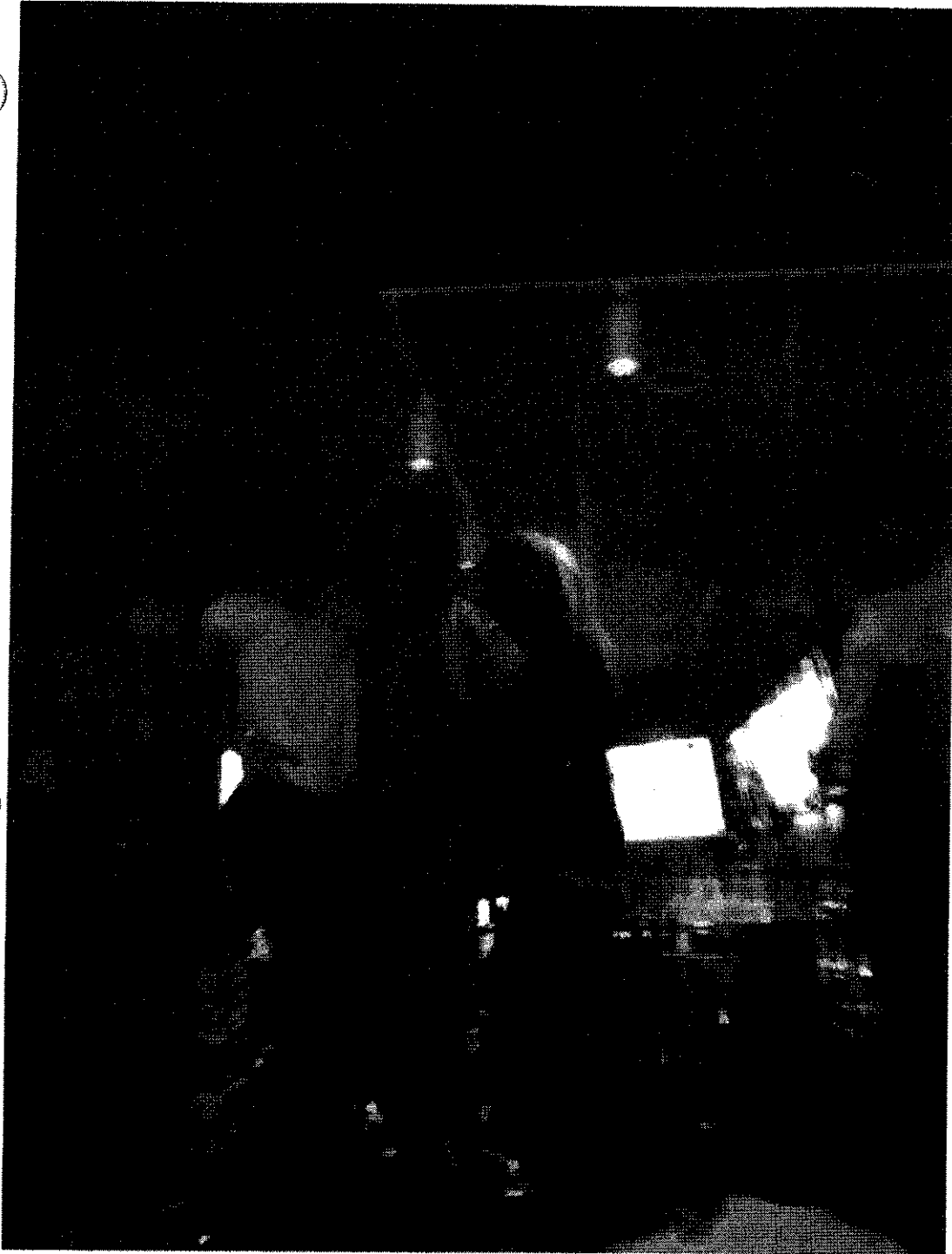
Sgt. Christopher Chronopoulos

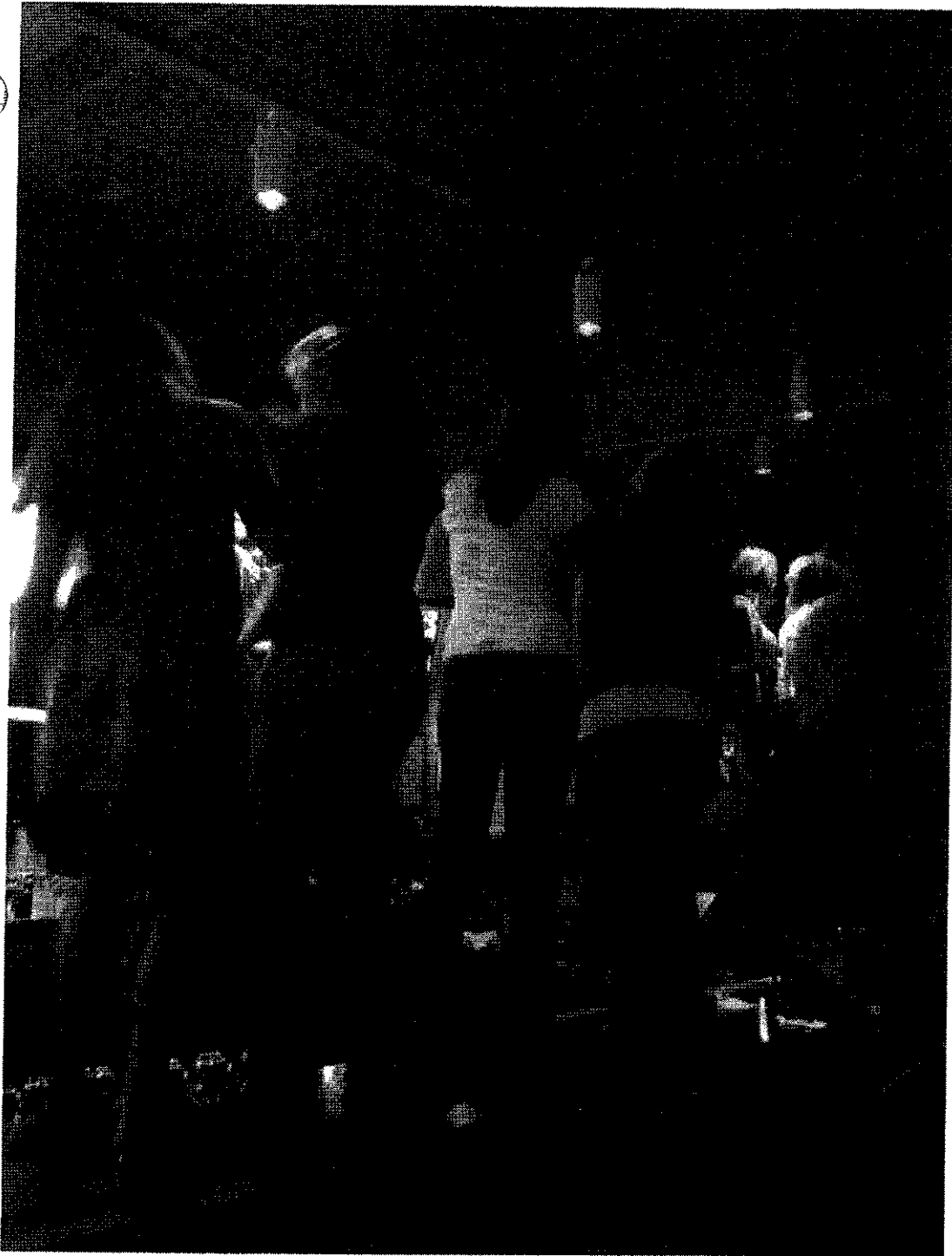














Tyngsborough Police Department
Incident Report

Page: 1
08/24/2010

Incident #: 10-731-OF
Call #: 10-16199

Date/Time Reported: 08/24/2010 2024
Report Date/Time: 08/24/2010 2100
Occurred Between: 08/20/2010 0017-08/22/2010 1148
Status: No Crime Involved
Reporting Officer: Sergeant Charles Chronopoulos
Approving Officer: Sergeant Charles Chronopoulos

Signature: _____

Signature: _____

INVOLVED

SEX RACE AGE

SSN

PHONE

LONGO, MICHAELA J
162 DEPOT ST
DUNSTABLE MA 01827-1604

F W 20

Military Active Duty: N

BODY: NOT AVAIL.

DOB: 05/17/1990

LICENSE NUMBER: MA

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: NOT HISPANIC

EVENTS(S)

LOCATION TYPE: Restaurant/Cafeteria
SMOKEY BONES

Zone: CAR 1 AREA A

MIDDLESEX RD
TYNGSBOROUGH MA 01879

1 ALLEGED UNDERAGE DRINKING AT SMOKEY BONES

Tyngsborough Police Department
NARRATIVE FOR SERGEANT CHARLES CHRONOPOULOS

Page: 1

Ref: 10-731-OF

Entered: 08/24/2010 @ 2130
Modified: 08/24/2010 @ 2208
Approved: 08/24/2010 @ 2144

Entry ID: S3
Modified ID: S3
Approval ID: S3

On Tuesday August 24, 2010 I was assigned as patrol shift supervisor between the hours of 1500-2300. At approximately 1700 hrs I met with a concerned citizen of Tyngsborough, MA who informed me that Smokey Bones hosted a, "Texas Hold-em Tournament," on Sunday, August 22, 2010 at 8pm. In addition, the concerned citizen had evidence regarding possible underage drinking the same evening at Smokey Bones Bar and Grille.

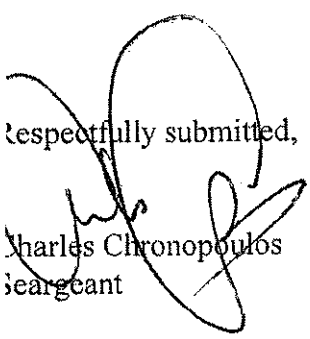
The citizen showed me via "Facebook," from a laptop the Smokey Bones Facebook page. On the home page, I observed a recent posting that advertised the Texas Hold-em Tournament. I also observed a photo that was taken inside Smokey Bones of two female subjects doing liquid shots at the bar. One of the females were tagged as, "Michaela Longo." Ms. Longo is on the left in the photo wearing a white t-shirt, brown hair that is pulled back. The concerned citizen personally knew Michaela Longo and stated she was only twenty years of age and did not turn twenty-one until next year. There were a total of three photos depicting Michaela Longo and an unidentified female doing the shots of unknown liquid from the bar.

Upon further investigation, Michaela Longo was found to be in the Tyngsborough Police Department database from previous incidents. Ms. Longo's date of birth is May 17th, 1990. I also ran Ms. Longo via computer/CJIS to obtain a driver's license photo. Ms. Longo's RMV photo matches the photo taken of her inside Smokey Bones Bar and Grille consuming a liquid shot. Ms. Longo's RMV information corroborated her date of birth as 05/17/1990. The liquid being consumed from the shot glass appears to be that of a popular drink called, "Blow Job." This drink is made from the following alcoholic beverages; "Kahlua, Baileys Irish Creme, and whipped cream."

In another photo, there is an unidentified female wearing a pink and white shirt standing on top of the bar inside Smokey Bones Bar and Grille feeding what appears to be beer from a large plastic/glass tube with a tap at the bottom into an unidentified male subjects mouth. The object is commonly known as a beer tube.

The photos were saved and printed and attached to this report. As of 2100 hrs, the advertisement of the Texas Hold-em tournament along with the pictures of Michaela Longo were mysteriously pulled (deleted) from the Smokey Bones Bar and Grille Facebook page.

Respectfully submitted,


Charles Chronopoulos
Sergeant

Michaela J Longo
162 Depot St
Dunstable, MA 01827-1604

Page: 1

Printed: 08/24/2010

Age: 20 DOB: 05/17/1990
Sex: F Race: U
Ethnicity: Unknown
SSN:
OLN: MA :

Report Printed By: Sergeant Charles Chronopoulos Tyngsborough Police Department

Vehicles

<u>Registration</u>	<u>(Plate Type)</u>	<u>Color</u>	<u>Year Make - Model</u>	<u>Style</u>
MA 745AW7	(PC)	BLU	2004 CHEVROLET - MALIBU	SEDAN

Other Activity

<u>Date</u>	<u>Status</u>	<u>Activity Type</u>	<u>Refer to..</u>
04/16/2010		Accident (Operator)	10-70-AC
04/16/2010		(Dispatch) Vehicle Owner	10-7049
04/15/2010		Involved Participant	10-68-AC



Tyngsborough Police Department
Incident Report

Page: 1
08/26/2010

Incident #: 10-732-OF
Call #: 10-16272

Date/Time Reported: 08/25/2010 1400
Report Date/Time: 08/25/2010 1525
Status: No Crime Involved
Reporting Officer: Sergeant Christopher Chronopoulos
Approving Officer: Sergeant Christopher Chronopoulos

Signature: _____

Signature: _____

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	HERCHUCK, MICHAEL 329 BROOK VILLAGE Apt. #4 NASHUA NH 03060	M	W	34	NOT AVAIL	413-626-1010

Military Active Duty: N
BODY: NOT AVAIL.
DOB: 10/26/1975
LICENSE NUMBER: NOT AVAIL.

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: UNKNOWN

[CONTACT INFORMATION]

Home Phone (Primary) 413-626-1010
Work Phone (Primary) 978-649-5410

EMPLOYER/SCHOOL: SMOKEY BONES • 978-649-5410

EVENTS (S)

LOCATION TYPE: Restaurant/Cafeteria
SMOKE BONES BAR AND FIRE GRILL
431 MIDDLESEX RD
TYNGSBOROUGH MA 01879

Zone: CAR 1 AREA A

1 LIQUOR VIOLATIONS

NARRATIVE FOR SERGEANT CHRISTOPHER CHRONOPOULOS

Ref: 10-732-OF

Entered: 08/25/2010 @ 1535 Entry ID: S8
Modified: 08/25/2010 @ 2013 Modified ID: S8
Approved: 08/25/2010 @ 2013 Approval ID: S8

(01) On the 25th of August (Wednesday) at approximately 1400hrs, Mike Herchuck the General Manager from Smokey Bones Bar & Fire Grill came to the Tyngsborough Police Station. I met and spoke with Mike.

(02) Mike said he came into the station to talk about poker tournaments at Smokey Bones. Mike said that this meeting was in reference to a sergeant that visited Smokey Bones several weeks ago advising one of his managers that poker tournaments were to cease from this point forward until properly licensed.

(03) I advised Mike, per Chief William Mulligan that all poker tournaments were to stop. Mike said that he had spoken with the corporate office from Orlando Florida regarding their right to have poker tournaments, and he was told by corporate that he was permitted to hold the tournaments. Mike said that he spoke to corporate the day after the sergeant spoke with his manager.

(04) I advised Mike that I was the sergeant that had spoken to his manager (refer to additional report). I further explained to Mike that proper licensing had to be obtained from the Town of Tyngsborough regarding this type of entertainment. Mike said he has continued with the poker tournaments until today, when he received a call from the corporate office (Sun Capital) to stop the poker tournaments. Mike said he took proper measures and halted the poker tournaments.

(05) Mike further explained that he was scanning through the Smokey Bones website and Facebook and discovered photos of an underage patron that had been served alcoholic beverages by one of the Smokey Bones bartenders. Mike said to me he had taken immediate action addressing that issue. The bartender was fired. I advised Mike that Chief William Mulligan requested to speak with him regarding information he had received. Mike said he would speak with Chief Mulligan.

(06) While meeting with Chief William Mulligan Mike was placed on notice from this point forward that no poker tournaments are to be held at Smokey Bones Bar and Fire Grill until properly allowed by the Town of Tyngsborough. Chief William Mulligan further advised Mike about information he received regarding an underage female patron being served alcoholic beverages from one of his bartenders at the restaurant this past week. Mike said he was aware of this incident. Chief William Mulligan advised Mike that a report will be forwarded to the Town of Tyngsborough Board of Selectmen regarding the underage female being served.

Sgt. Christopher Chronopoulos

LYNNBOROUGH POLICE DEPARTMENT
NARRATIVE FOR DETECTIVE SERGEANT RICHARD HOWE


Ref: 10-731-OF

Entered: 08/25/2010 @ 1304	Entry ID: S10
Modified: 08/25/2010 @ 1313	Modified ID: S10
Approved: 08/25/2010 @ 1313	Approval ID: S10

On August 25th Chief Mulligan asked me to follow-up on this case by making contact with Michaela Longo, who was identified as the female who was drinking at Smokey Bones although she is only 20 years old.

I spoke to Longo via telephone, she confirmed that it was her in the facebook pictures and that she was consuming alcohol. She advised that she was at Smokey Bones on Saturday August 21st from about 10pm until closing time. She told me that she had brought a friends identification with her who was 21 however nobody ever asked her for identification. She said she was served several drinks by the various bartenders who were working at that time.

I advised her that I may be contacting her again as the investigation continued.


Det./Sgt. Richard D. Howe

**TEXAS HOLD 'EM
EVERY SUNDAY AT**

**SMOKEY
BONES**
Bar & Fire Grill

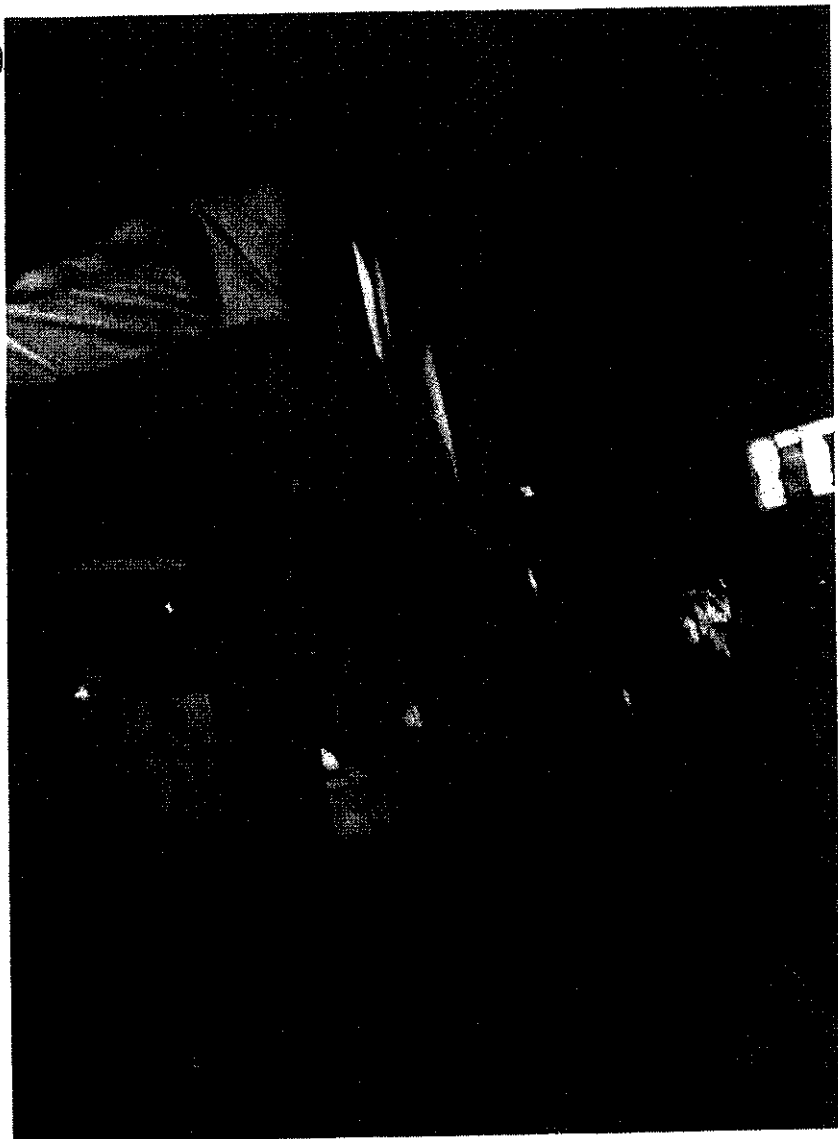
**8PM START TIME
NO ENTRY FEE!!!**

Prizes will be awarded



**Space is Limited
Sign up Early**

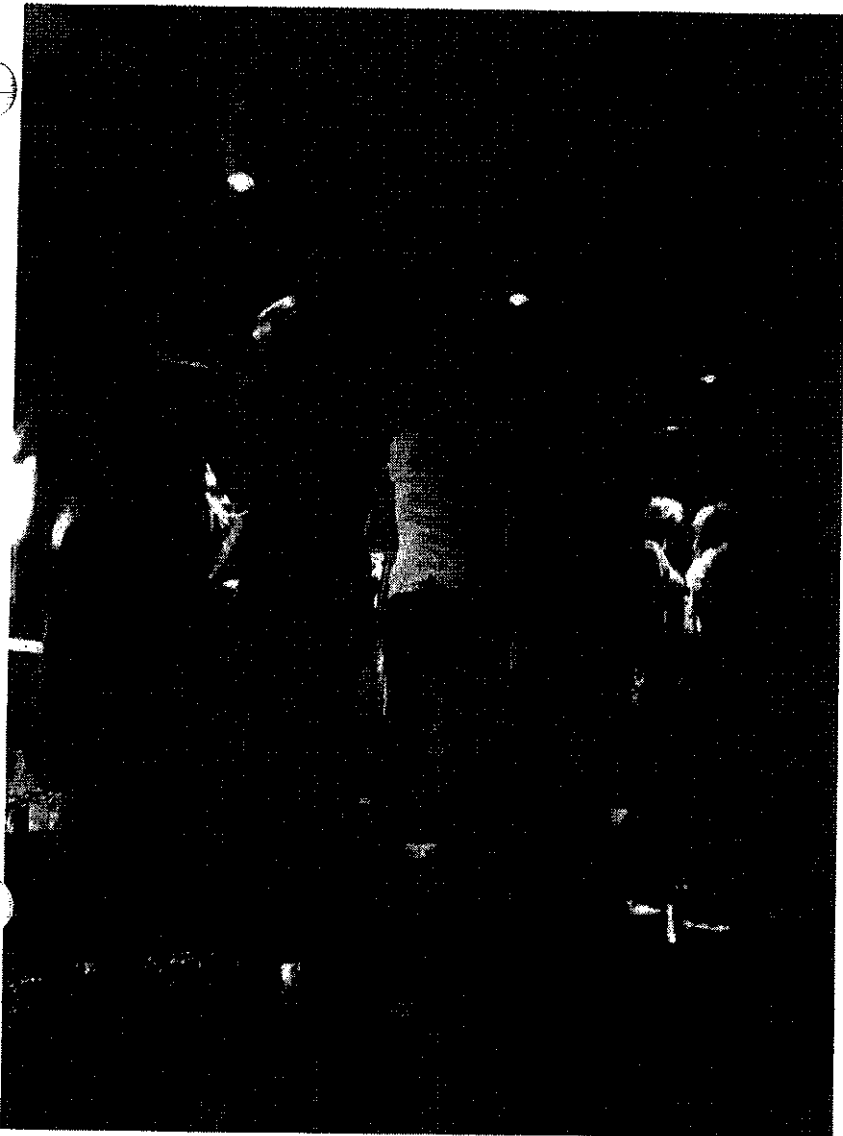
8/20/10
12:17am

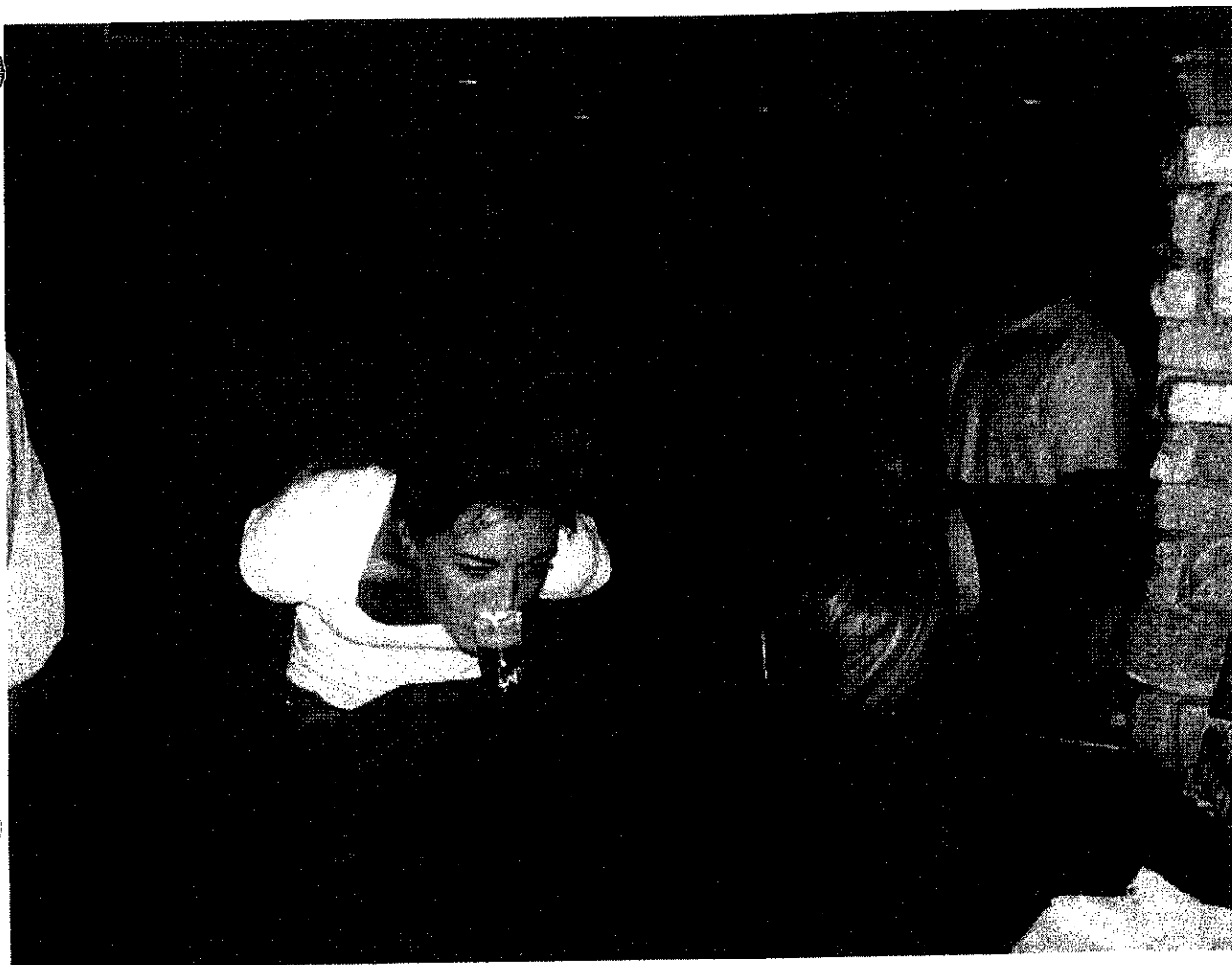




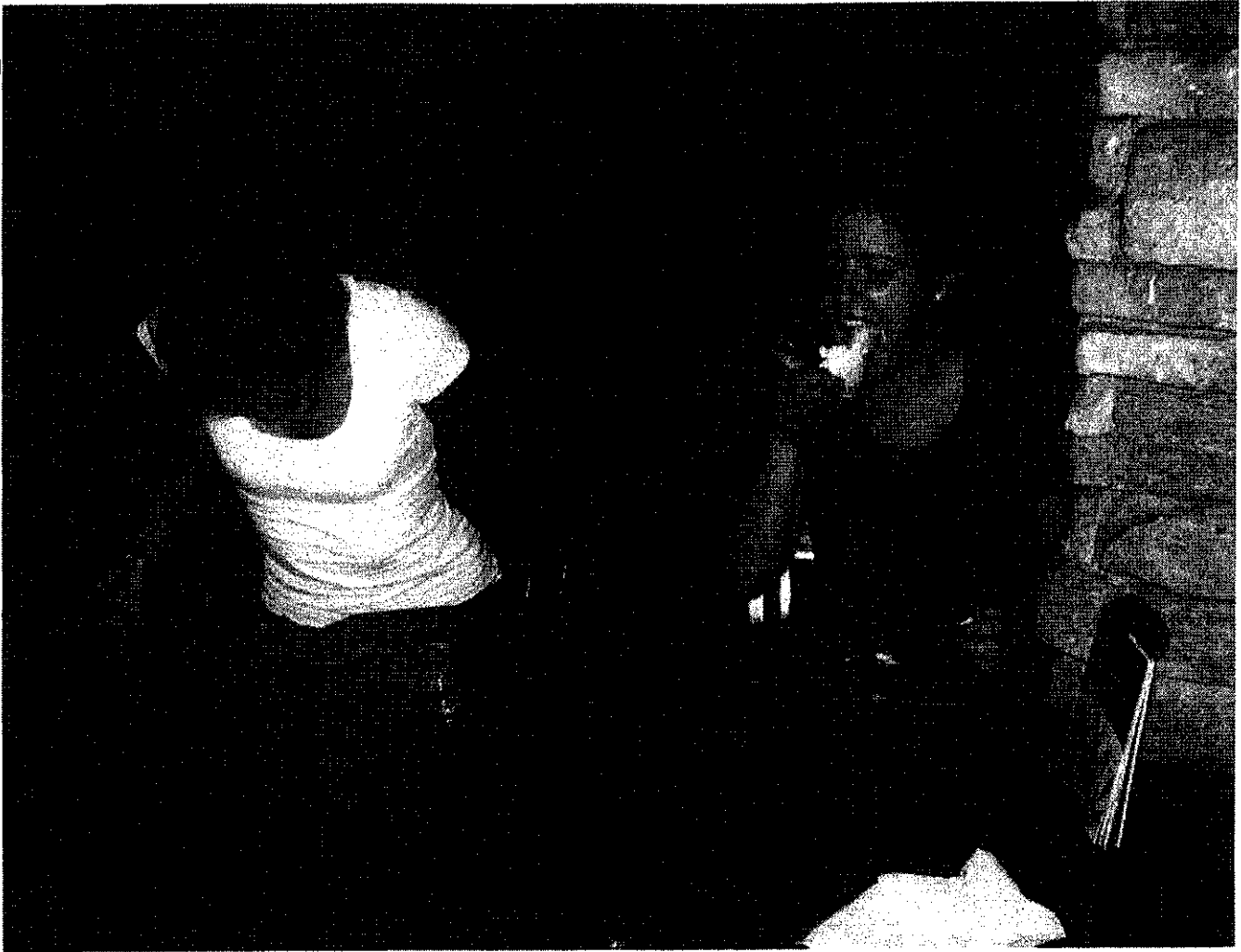
8/20/10
12:21ay

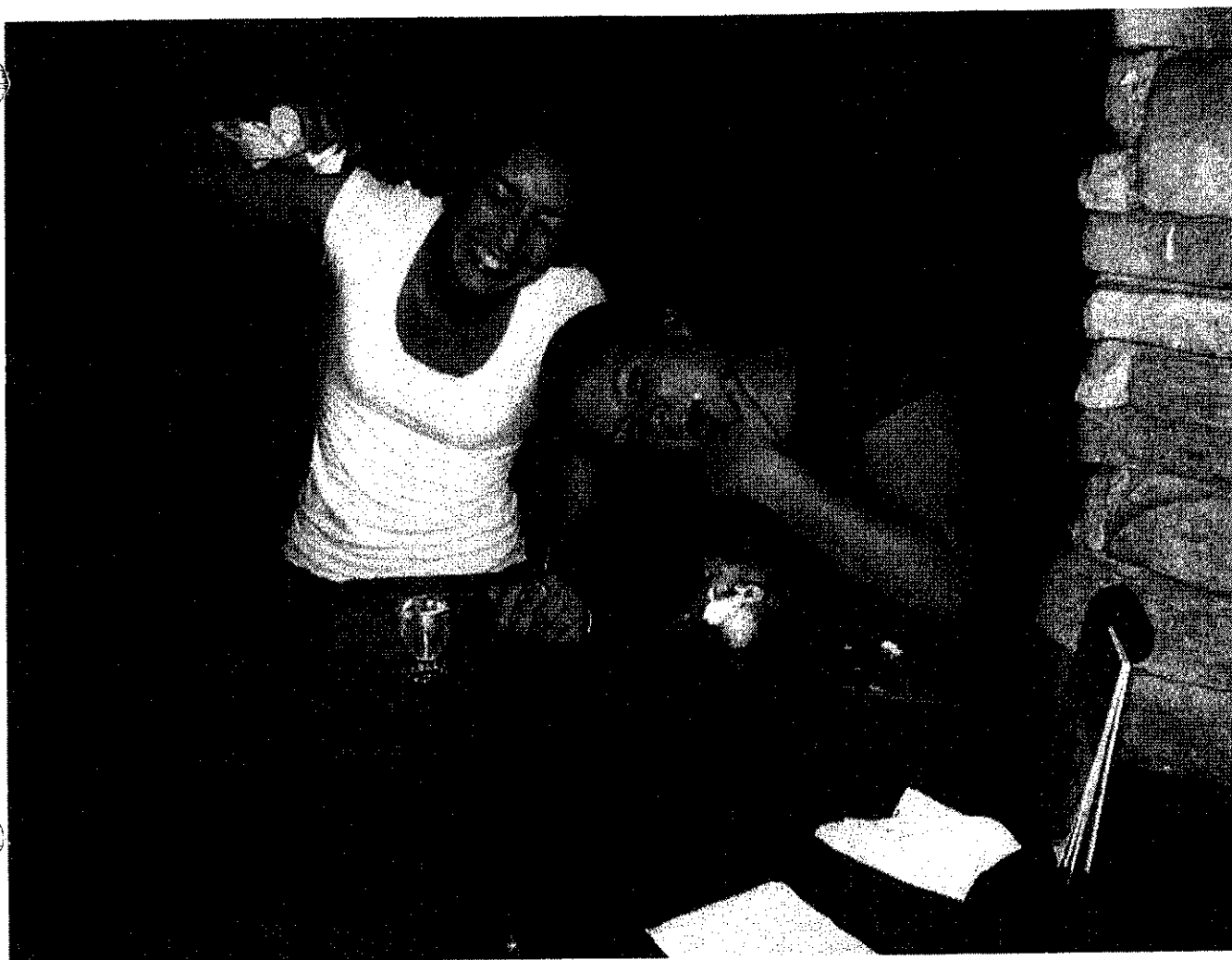
8/20/10
12:20am





SUNDAY 8-22
photos added 11:48 PM







Therese Gay <tgay@tyngsboroughma.gov>

Entertianment Application - Smokey Bones

Kathy Shaver <Kathy@licensingsolutions.us>
To: Therese Gay <tgay@tyngsboroughma.gov>

Wed, Sep 22, 2010 at 1:02 PM

Terry,

Are coupons for example; buy one get one free or for food only allowed to be awarded for the Texas Hold'em?

As you know we are also adding the Trivia along with Jeopardy and Wheel of Fortune, can we use food only coupons as prizes for these games?

[Quoted text hidden]

The Official Website of the Attorney General of Massachusetts

Mass.Gov

Attorney General Martha Coakley



Home > Non-Profits & Charities > Charitable Organizations > Raffles and Other Gaming Activity >

Advisory on Poker Tournaments

Advisory

June 30, 2005

The rising popularity of games such as Texas Hold'em and other forms of poker has led to an increase in poker tournaments, many of them organized by charities for fundraising purposes. For those who wish to hold such tournaments, this Advisory is intended as a guide to help distinguish between poker tournaments that are illegal and subject to prosecution in Massachusetts, and those that are legal.

Poker tournaments in Massachusetts are illegal if they violate either the lottery or betting prohibitions of the Massachusetts General Laws. This requires an analysis of two separate statutory provisions.

1. Section 7 of Chapter 271 generally prohibits lotteries. Lotteries involve games of chance in which contestants pay money or something else of value for the opportunity to win prizes. Assuming that poker is a game of chance, section 7 prohibits all poker tournaments in which players pay an entry fee or something else of value to play a game which offers prizes to the winner(s). The legislature has carved out one important exception to this broad prohibition. Qualifying nonprofit organizations are permitted to operate lotteries for fundraising purposes if they meet certain conditions and obtain a permit under section 7A of Chapter 271.

2. Section 17 of Chapter 271 prohibits anyone from registering bets, or buying or selling pools, on the result of poker hands, games or tournaments. Even a qualifying nonprofit organization cannot operate a poker tournament in which players or spectators bet money or anything else of value on hands, or in which prizes come from a pool of money or something else of value based on the number of people who play, or the amount of proceeds collected.

I. A poker tournament is illegal if it is operated as a lottery.

Except for certain qualifying non-profit organizations that are issued a lottery permit under section 7A of Chapter 271 (discussed below in greater detail), it is illegal to set up or promote a lottery in which players pay to play a game where winning something of value is "dependent upon or connected with chance by lot, dice, numbers, game, hazard or other gambling device." G.L. c. 271, § 7. A game is an illegal lottery if:

- Players pay something of value to play the game. This includes players who are charged an entry fee, are required to make a charitable contribution, or bet money or anything else of value during the course of the game;
- The game is considered a game of chance; and
- Winning players receive something of value.

Even if the game involves some level of skill, it may still be a lottery. "The simplest form of lottery is, perhaps, a game depending wholly on chance in which the skill of the player is not a factor The mere fact that skill as well as chance may enter into a game, however, does not prevent it from being a lottery With reference to cases where both elements are present, the rule generally stated is that if the element of chance rather than that of skill predominates, the game may be found to be a lottery."¹ At least one court has ruled that under Massachusetts law, chance predominates over skill in video poker games and, as such, they are illegal lotteries.² Massachusetts appellate courts have not been called upon to determine whether traditional forms of poker are considered games of chance rather than skill.

Assuming that all forms of poker are games of chance, it is illegal to promote, operate or play in a poker tournament if a) players pay an entry fee, bet, or otherwise contribute something of value to play and b) prizes of cash or something else of value are awarded to winning players. The only exception to this prohibition involves fundraising activities by certain nonprofit organizations issued lottery permits under section 7A of Chapter 271.

Of course, if players do not pay an entry fee, bet, or otherwise contribute something of value to play in a poker tournament, it does not constitute a lottery. A poker tournament in which participants pay nothing to play (meaning players neither pay an entry fee nor bet money during the game) may award prizes to winning players.

II. A poker tournament that would otherwise be an illegal lottery in Massachusetts is legal when operated by a properly licensed qualifying nonprofit organization.

Section 7A of Chapter 271 allows certain qualifying organizations to hold special events, known as "bazaars," for fundraising purposes. Bazaars (also referred to as Las Vegas or Casino nights) may include games of chance such as roulette, craps, blackjack, and poker, including Texas Hold'em. A qualifying organization which operates a bazaar pursuant to section 7A is not in violation of the section 7 lottery prohibitions so long as the organization and players

comply with the requirements described in more detail below.

A. Qualifying Organizations

Poker tournaments held pursuant to section 7A may only be operated by:

- (1) a veterans' organization chartered by the Congress of the United States;
- (2) a church or religious organization;
- (3) a fraternal or fraternal benefit society;
- (4) an educational or charitable organization;
- (5) a civic or service club; or
- (6) other clubs or organizations operated exclusively for nonprofit purposes.

B. Summary of Important Limitations

Qualifying organizations wishing to run poker tournaments must:

- have been organized and operating in Massachusetts for at least two years;
- obtain a permit from the city or town where the event will be held;
- limit cash awards to \$25 (there is no similar limitation on non-cash awards); and
- hold no more than three bazaars per calendar year.

C. Local and State Permits

A qualifying organization must request and obtain the necessary permit from the city or town where the poker tournament will be held and must follow all of the legal requirements for holding such a tournament, including, among other things: being a nonprofit functioning in Massachusetts for at least two years; identifying three qualified members who will be in charge of the event; and specifying how the net proceeds will be used for charitable purposes. A poker tournament cannot be held at the same time as a bingo or beano event. Attached is a checklist to assist municipalities in obtaining the information necessary for issuing a permit.

The Lottery Commission does not require that an organization obtain a permit from the Commission, but does require that the organization hosting a bazaar, including any poker tournament, file a report on the funds raised and pay to the Lottery Commission five percent of the gross proceeds.

D. Management and Operation

There are strict rules about how qualifying organizations must manage and operate poker tournaments. The organization must appoint a member in charge who is responsible for all of the activities at the tournament and the filing of all financial reports. The member in charge must be present during the tournament and be familiar with all laws and regulations pertaining to the event. The organization must also designate one of its officers (different from the member in charge) to be responsible for all of the proceeds.

Any person or company that rents equipment to the organization cannot also supply card dealers or game managers. In fact, the organization cannot allow anyone who is an employee or agent of an equipment rental company to be on the premises during the event. Only members of the organization can participate in the event's promotion and operation.

Other legal requirements for operating a tournament include: posting house rules; filing the necessary reports; and maintaining accurate records, including the amount and source of all proceeds, all expenses and disbursements, prize winners and prizes awarded.

E. Prizes

Tournaments organized under section 7A are limited to "one or both of the following types of prizes: (1) merchandise, of any value, (2) cash awards, not to exceed twenty-five dollars each." Merchandise (including gift cards) and cash awards may be awarded to one or more winners at the end of the entire event, at the end of any game, or at such other times and in such other manner during the event as the organization chooses, so long as the prizes have been determined in advance and do not increase or decrease based on the number of people playing, the amount of proceeds collected, or the outcome of the games being played.

F. Penalties

Failure to comply with the promotion, operation, and reporting requirements governing bazaars can expose a nonprofit organization and its event organizers to various penalties. Under section 7A of Chapter 271, bazaar permits may be immediately revoked, nonprofits may be prohibited from holding a bazaar for up to three years, and civil and criminal penalties may be imposed on individuals, including a fine of up to \$1,000 and up to one year imprisonment. Moreover, anyone who is not covered by the protections of section 7A, but nonetheless sets up or promotes a poker tournament in violation of the section 7 lottery restrictions, may be guilty of a felony offense punishable by up to

three years in state prison or a \$3,000 fine.

There are also other requirements for operating a bazaar. Attached to this Advisory are checklists to assist non-profits and municipalities in completing the required steps for holding a bazaar pursuant to the provisions of G.L. c. 271, § 7, and 940 CMR 13.00, which are, respectively, the statute and regulations that govern bazaars in the Commonwealth of Massachusetts.

III. Poker tournaments that do not violate Massachusetts lottery laws are still illegal if they allow players or spectators to register bets of money or anything else of value on the result of the game(s), or if they constitute the buying or selling of pools out of which prizes are awarded.

Even a qualifying nonprofit organization that obtains a bazaar permit under section 7A of Chapter 271 cannot lawfully operate a poker tournament in which players or spectators register bets of money or anything else of value on the result of the game or receive prizes out of pools.

Section 17 of Chapter 271 makes it illegal to keep or be found in any place with "apparatus, books or any device, for registering bets, or buying or selling pools, upon the result of a . . . contest of skill . . . or upon the result of a game . . ." The statute prohibits two different kinds of conduct.

First, it is illegal to hold or participate in a poker tournament if players or spectators bet money or anything else of value on hands or games. There is no exception to this prohibition. Under Massachusetts law, a player bets if he or she has a chance of winning and losing money or something of value, and whether he or she wins or loses is dependent on the outcome of a hand or game.³

Second, it is illegal for tournaments to pool the proceeds collected from players and use those proceeds for the prizes awarded. Even if only a portion of the proceeds collected go to the winner(s), it may still represent an illegal pool under Massachusetts law.⁴

Poker tournaments must be structured to avoid the restrictions on bets and pools. For example, a tournament may be lawfully operated if:

IV. Contacts

If you have questions concerning the operation of poker tournaments or other similar fundraising activities, please feel free to contact:

Office of the Attorney General
Non-Profit Organizations/Public Charities Division
(617) 727-2200, ext. 1701

Massachusetts State Lottery Commission
(781) 849-5555, ext. 527

Department of Public Safety
Office of the Commissioner of Public Safety
(617) 727-3200, ext. 25230

Checklists

[Checklist for Nonprofit Organizations Holding Poker Tournaments](#) **PDF**

[Checklist for Municipalities Regarding Poker Tournaments](#) **PDF**

Endnotes


¹ *Commonwealth v. Plissner*, 295 Mass. 457, 463-64 (1936).

² See *United States v. Marder*, 48 F.3d 564 (1st Cir. 1995). In *Commonwealth v. Club Caravan*, 30 Mass. App. Ct. 561 (1991), the court held that video poker games contain an element of skill, but did not rule whether skill or chance is the predominate feature.

³ See *Commonwealth v. Sousa*, 33 Mass.App.Ct. 433, 437 (1991) (citing *Commonwealth v. Sullivan*, 218 Mass. 281, 283 (1914)).

⁴ See *Commonwealth v. Sullivan*, 218 Mass. 281, 283 (1914).

- Players pay a pre-determined entry fee that entitles them to play in the tournament. So long as the entry fee is pre-determined, is the same for all players in the game, and is not tied to how the players fare during the game, it does not constitute betting. Of course, requiring players to pay an entry fee would turn the tournament into a lottery. The tournament would then have to be sponsored by a qualifying nonprofit organization that has been issued a bazaar permit under section 7A of Chapter 271.

- 
- At the start of the tournament, players are given an equal number of poker chips. Once the tournament begins, players cannot purchase any more chips. Re-buys are prohibited.
 - During the course of the tournament, players receive prizes. The rules might provide that at the end of each game, or at the end of each hour of play, the player with the most number of points or chips receives a prize. Even though players have a chance of winning something of value, it is not betting because the players have no chance of losing anything of value.
 - Prizes are determined by the event organizer in advance of the tournament, and do not increase or decrease based on the number of people who play, the amount of money collected, or the outcome of a particular hand or game. Courts in other states have found a meaningful distinction between games in which there is a pre-determined prize contributed by an event organizer, and games in which the participants alone contribute the funds which the winner(s) receive.

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EPT MASSACHUSETTS LOCATIONS

Surly Johnson - Raynham, MA	Every Sunday at 7:00 PM
Surly Johnson DEEPSTACK - Raynham, MA	Every Sunday at 3:30 PM
Home Plate Bay Street Grill - Taunton, MA	Every Monday at 7:00 PM
Moose Cabin - Attleboro, MA	Every Tuesday at 7:00 PM
Jockey Club - Raynham, MA	Every Wednesday at 7:00 PM
Moose Cabin Thursdays - Attleboro, MA	Every Thursday at 7:00 PM
General Joe Hooker's - Lakeville, MA	Every Friday at 7:00 PM
DEEPSTACK & \$100 ADDED!! at Luxury Box - Seekonk, MA	Every Saturday at 12:30 PM
Luxury Box - Seekonk, MA	Every Saturday at 4:00 PM

Maxamillians Billards (Sundays) - Tyngsboro, MA	Every Sunday at 7:00 PM
Skybox Lounge - Tewksbury, MA	Every Monday at 7:00 PM
The Brewery Exchange - Lowell, MA	Every Tuesday at 7:00 PM
Mammoth Road Club - Dracut, MA	Every Wednesday at 7:00 PM
Maxamillians Billards - Tyngsboro, MA	Every Thursday at 7:00 PM

Patriots bar & Grill - Bellingham, MA	Every Sunday at 7:00 PM
PiNZ - Milford, MA	Every Monday at 7:00 PM
Bellingham Sportsman Club (tues) - Bellingham, MA	Every Tuesday at 7:00 PM
PiNZ (Wed) - Milford, MA	Every Wednesday at 7:00 PM
Doc's Sports Bar & Grille - Milford, MA	Every Thursday at 7:00 PM
Liz's Diamond Bar & Grille - Hopedale, MA	Every Friday at 7:00 PM

Trackside Grille - Ashland, MA

Every Sunday at 7:00 PM

Sully's First Edition Pub - Marlborough, MA

Every Monday at 7:00 PM

Shoppers Cafe - Waltham, MA

Every Tuesday at 7:00 PM

Cafe Belo - Framingham, MA

Every Wednesday at 7:00 PM

The Wave Sports Pub - Waltham, MA

Every Thursday at 7:00 PM

Boston.com
July 20th 2010

Area restaurants join Eastern Poker Tour - Framingham - Your Town - Boston.com

8/6/10 7:18 AM

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FRAMINGHAM WALTHAM

Area restaurants join Eastern Poker Tour

Posted July 20, 2010 09:00 AM

Email | Link | Comments (0)



By Katrina Ballard, Globe Correspondent

As the only female in a group of 26 men playing poker, Priscilla Amaral of Framingham can hold her own. She has recently won two local poker tournaments and will play for a championship prize of \$30,000 next month.

If she wins the championship, she also will go on to play in the World Series of Poker in Las Vegas.

Hundreds of locals from across Massachusetts and Rhode Island compete every six months in the Eastern Poker Tour for the chance to play in a championship where they could win thousands of dollars. The next championship round is in August, and the winner of that round gets a free spot in the poker World Series.

This year, for the first time, restaurants in the Framingham area are taking part in the tour.

Café Belo, a small Brazilian restaurant on Waverly Street in Framingham, hosts local poker games every Wednesday night as part of tour. Amaral is one of about 13 winners from Café Belo who will compete in the championship next month. The final round will be televised on Comcast SportsNet.

"There will be a lot of people, and it will be hard, but I'll try my best," said Amaral. "I'm confident, and hopefully I'll make it to the Top 20."

Five small businesses in the Framingham region host once a week poker tournaments for prizes. Players do not win money in the local games. The buy-in

Things To Do In Framingham

UPCOMING EVENTS

- 3-wk Workshop Production of "Oklahoma!"...
- Elin

BROWSE

- Arts & Crafts
- Community
- Food & Dining
- Performing Arts
- Shopping
- Sports & Rec
- Family Events

6

FRI

7

SAT

8

SUN

9

MON

10

TUE

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Play Poker in a Brand New Las Vegas Hotel. Opening December 2010

www.CosmopolitanLasVegas.com

Buick Cars Framingham Ma

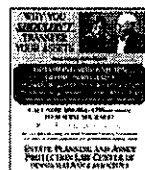
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www.WestboroughBuickGMC.com

Framingham Headlines

- Princeton Review 2Q loss widens on deal costs (1 day ago)
- TJX July revenue comparison rises 2 percent (2 days ago)
- Builder takes leading role in deal for Miramax (2 days ago)
- Snapshots of a few

Flyerboard



is the cost of a \$15 buffet, making local poker an affordable, more low-key alternative to Foxwoods Resort Casino or Mohegan Sun, say tour supporters.

Amaral, 25, said she has been playing poker for seven years, first for fun with friends and then competitively at Foxwoods and Mohegan, often in ladies tournaments. She prefers the local games, however, because they are so close to home, and the atmosphere is friendlier.

-Especially being a girl playing with a bunch of guys and their big egos, trying to push you around," Amaral, who works at Whole Foods in Framingham, said. -It's so laid back here. Everybody knows each other."

Other than Café Belo, participating businesses in the Framingham region are Sully's First Edition Pub in Marlborough on Mondays, Shoppers Café in Waltham on Tuesdays, The Wave Sports Pub in Waltham on Thursdays and Trackside Grille in Ashland on Sundays. Registration begins at 7 p.m. for each restaurant.

Some 300 players have come to the table in the Framingham region. Four other regions - Rhode Island, Central Massachusetts, Greater Lowell and Southern Massachusetts - will also send their local winners to the championship in August.

-A lot of these people come in and get dinner ... never having played poker in their life," said John Evangelous, the Framingham regional manager for the tour. -Even if they're a new player or if they've played for 40 years, they're welcomed and meet new friends."

Dick Heaton of Natick said he has played poker Sunday through Thursday for two years in various areas, but the Framingham region is the best organized of any local tournament he's attended. He recently won a game at Café Belo, qualifying him for the championship for the first time.

-It's a night out and dinner every night, like tonight, I get to try Brazilian food," said Heaton. -It's girls and guys, and there's no swearing, whether it's respect for the place we're in or because we're in mixed company, you don't get that."

Shoppers Café in Waltham now gets about 30 to 40 people every Thursday, said owner Paul LaCava. The tournament has helped bring in new customers by offering a great entertainment value, he said. Like Heaton, LaCava also complimented Evangelous' management of the games.

-They took a relatively quiet night and made it a fairly decent evening," LaCava said. -And there's a tremendous young man who facilitates; he's a real great young person who really works hard, a go-getter."

Though all interviewed agreed the local poker nights are entertaining, a few players said they thought the big tournament in August would be nothing more than another night to play cards. Bruce Schraft of Marlborough said he thinks the championship will be crowded, and though he's like to win, odds against it are high.

-I think a lot of these people don't understand how big of a tournament this is," said Evangelous. -A few are overwhelmed, but some have played before ... people are fighting to get their win."

Jeremy Snyder of Auburn has played in the eastern tour before and made the Top 20 final round twice, he said. He hasn't played as often this year and hasn't qualified with a local win yet, but he is confident that in the next 30 games, he can secure a spot. Last year, he played for twenty hours in the first two days of the championship but didn't make it to the Top 20.

-You have to be in the mind frame that you're going to win," said Snyder, a software engineer for EMC Data. -It's kind of heartbreaking, but you've got to keep playing."

The two-day tournament will begin August 28. The location has yet to be determined. For more information, visit www.easternpokertour.com.

• Snapshots of a few
Metrowest Colonial players
(2 days ago)

Also From Framingham

A RED SOX HERO



The athletic Goodman family of Framingham

STUDENT ART



2010 Boston Globe Scholastic Gold Key winners

PEOPLE

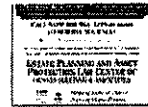


Love on the Framingham commuter line

HEALTH CARE



Health care costs eating town budget



Local advertising by PaperG

Framingham On Twitter

When He Pends for Himself: A Confession and A Pledge (Good Cook Doris in "Z" Kitchen) - <http://bit.ly/a6GBMh> about 21 hours ago

Waltham hires new assistant school superintendent - <http://b.globe.com/c6BV4> about 21 hours ago

Twitter | Digg | Like | Be the first of your friends | Yahoo! Buzz | ShareThis

Bollder takes leading role in deal for Miramax -
<http://b.globe.com/dC3NA6> about 21 hours ago

Man who called 911 charged in deaths -
<http://b.globe.com/a7EA0q> about 23 hours ago

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- Strip club application withdrawn (Your Town)
- The other big wedding of the summer (Innovation Economy)
- Waltham sex shop will block the view to its merchandise (Your Town)
- Girl who died in Brockton pool had near-miss three years ago (MetroDesk)



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Date: 09/29/10

Establishment: Smokey Bones Bar & Fire Grill #7515

Address: 431 Middlesex Road
Tyngsborough, MA 01879

Weekday Entertainment at the above mentioned establishment will include the following:

☒ Dancing by patrons
☒ Vocalists
☒ Disc Jockey
☒ Jukebox
☐ Orchestra (please state number of pieces)
☒ Bands (please state number of pieces)
☐ Floor Show (please describe)

☒ Television
☒ Radio/Stereo
☒ Piped in Music
☒ OTHER: (please describe fully)
 See attached Exhibit A

Please use additional pages as needed to fully describe the type and scope of the proposed entertainment. **PLEASE NOTE:** Should you be granted a license, only those activities specifically identified in this application form will be deemed licensed, and that any activity not specifically identified or described will not be deemed to be licensed.

HOURS WHICH ENTERTAINMENT WILL BE CONDUCTED

Monday	<u>11:00AM</u> to <u>2:00AM</u>
Tuesday	<u>11:00AM</u> to <u>2:00AM</u>
Wednesday	<u>11:00AM</u> to <u>2:00AM</u>
Thursday	<u>11:00AM</u> to <u>2:00AM</u>
Friday	<u>11:00AM</u> to <u>2:00AM</u>
Saturday	<u>11:00AM</u> to <u>2:00AM</u>

I agree not to change the type of entertainment provided in my establishment without the prior written permission of the Local Licensing Authority.

Signature of Licensee:

EXHIBIT A
(Smokey Bones Bar & Fire Grill #7515
Entertainment License Applications Addendum)

1. Non-gambling and charity poker.
2. Trivia*
3. Jeopardy*
4. Family Feud*
5. Bones Water Pong (no alcohol involved)
6. Bands will include 2 guitars, singer and drummer

*DJ is wired and set up under two T.V. monitors. Contestants are given a wireless buzzer used to determine who answers the questions on the monitors first. There are normally four contestants at a time in these games. All games are filtered through the entertainment speaker system.

Note: None of the aforementioned activities will involve a "buy in" or gambling with actual money. However, the games will in fact have prizes for the winners sometimes including cash. Alcohol will not be awarded as any prize.

TOWN OF TYNGSBOROUGH
APPLICATION FOR SUNDAY ENTERTAINMENT

Date: 09/29/10

In accordance with Massachusetts General law, Chapter 136 and 140, section 183A, hereby requests a weekday entertain license for:

Establishment: Smokey Bones Bar & Fine Grill #7515Address: 431 Middlesex Road
Tyngsborough, MA 01879

Weekday Entertainment at the above mentioned establishment will include the following:

<u>X</u>	Dancing by patrons
<u>X</u>	Vocalists
<u>X</u>	Disc Jockey
<u>X</u>	Jukebox
<u> </u>	Orchestra (please state number of pieces)
<u>X</u>	Bands (please state number of pieces)
<u> </u>	Floor Show (please describe)
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u>X</u>	Television
<u>X</u>	Radio/Stereo
<u>X</u>	Piped in Music
<u>X</u>	OTHER: (please describe fully)
<u> </u>	<u>See attached Exhibit A</u>
<u> </u>	<u> </u>

Please use additional pages as needed to fully describe the type and scope of the proposed entertainment. **PLEASE NOTE:** Should you be granted a license, only those activities specifically identified in this application form will be deemed licensed, and that any activity not specifically identified or described will not be deemed to be licensed.

HOURS WHICH ENTERTAINMENT WILL BE CONDUCTED

Sunday 1:00 P.M. to 2:00AM

I agree not to change the type of entertainment provided in my establishment without the prior written permission of the Local Licensing Authority.

Signature of Licensee: 

EXHIBIT A
(Smokey Bones Bar & Fire Grill #7515
Entertainment License Applications Addendum)

1. Non-gambling and charity poker.
2. Trivia*
3. Jeopardy*
4. Family Feud*
5. Bones Water Pong (no alcohol involved)
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Note: None of the aforementioned activities will involve a "buy in" or gambling with actual money. However, the games will in fact have prizes for the winners sometimes including cash. Alcohol will not be awarded as any prize.



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

E-mail: mgilleberto@tyngsboroughma.gov

Special Town Meeting Schedule: Tuesday, November 9, 2010

Date selected and announced:	October 4, 2010
Warrant opens:	October 4, 2010
Warrant closes:	October 8, 2010
Warrant reviewed by Selectmen:	October 18, 2010
Draft Warrant to Town Counsel for review:	October 19, 2010
Final Warrant approved by Selectmen:	October 25, 2010
Town Meeting:	November 9, 2010

Issue

Elder Affairs salary transfer
Police OT transfer
Workers Comp for elected officials
Wind/solar bylaw
Collector clerk salary transfer
Planning Board invoice
debt service reduction
Health Insurance transfer
School Medicaid
School truck
Building Department: contracted inspections
and sick leave
Pawtucket parcels
Campground funding

Type

financial - transfer
financial - transfer
policy
bylaw
financial - transfer
financial - transfer
financial - transfer
financial - transfer
financial - transfer
financial - re-appropriate
financial - transfer

land - transfer
financial - appropriate

Town of Tyngsborough Position Description

Job Title: Sewer Department Administrator
Department: Sewer Department
Reports To: Sewer Commission/Town Administrator
Prepared Date: November 2009

SUMMARY

Performs a variety of managerial tasks specifically focused on keeping the administrative function of the Sewer Department running efficiently.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Administrator will work under the general direction of the Sewer Commission and in conjunction with the Sewer Superintendent.

Performs a variety of tasks and duties focused on keeping the administrative function of the department running in an efficient manner. Duties may include but are not limited to:

Financial Operations

- Oversight and preparation of the annual revenue plan, operating budget, and capital budgets.
- Provides a bi-weekly written Sewer Administrator's report to the Sewer Commission and attends Sewer Commission meetings as requested.
- Manages accounts receivables and directs all billing.
- Manages accounts payables.
- Manages the collection of any fees. Reviews the fee structure annually and makes recommendations to the Sewer Commission for any changes.
- Directs and prepares various financial reports.
- Interfaces with various town departments as necessary to ensure the efficient operation of the administration of the department.
- Works with the Town Treasurer and others on any documents and approvals necessary to borrow funds for sewer projects.

Procurement

- Manages the internal accounting and procurement process in the department in accordance with local, state, and federal requirements.
- Prepares bid documents, working with the Sewer Commission, Sewer Superintendent, and Chief Procurement Officer.
- Solicits bid proposals as directed by the Sewer Commission
- Manages purchasing records for items or services purchased, costs, delivery, product quality or performance, and inventories.

- Reviews defective or unacceptable goods or services with the Sewer Superintendent and Sewer Commission, users, vendors, and others to determine the source of trouble, and takes corrective action.
- Prepares weekly warrants for payment of invoices in conjunction with the Sewer Superintendent and notifies the Sewer Commission of all warrants.
- Disburses payments for new and existing contracts and agreements, including agreements with Chelmsford, Dracut, and Lowell.
- Identifies secretarial needs, defines job description and manages secretarial personnel as needed to ensure the efficient function of the department.
- Directs the posting of secretarial positions and conducts interviews with prospective candidates.

Permitting and Licenses

- Manages the process for permitting and licenses by working with the Sewer Clerk and Superintendent.
- Is responsible for providing assistance to personnel and customers in understanding and completing the permits that are required for various activities.
- Coordinates the permitting process within and among town departments and other agencies.
- Monitors contractors' compliance with licensing requirements.

Construction and Maintenance of Sewer System

- Works with the Sewer Superintendent and Sewer Commission to ensure that any contracts for construction or maintenance of the sewer system are being administered properly.
- Works with the Sewer Superintendent and Sewer Commission in preparing a written revenue plan and capital plan annually.
- Monitors and keeps records on the amount of sewer flow available for potential users.

Policies

- Manages and conducts research, develops, recommends, and implements policies and standards set by the Sewer Commission.

General Administration

- Meets with consultants, contractors, and vendors who are under contract or negotiating with the Sewer Superintendent or Sewer Commission.
- Interfaces with the public, town employees, and administrators in person, by telephone, by correspondence and/or by e-mail.
- Directs and manages the public education efforts including mailings, cable television, and web site information.
- Performs other similar or related duties as required and/or assigned.
- Prepares sewer related articles for Town Meeting warrant.

OTHER DUTIES AND RESPONSIBILITIES

- Creates agenda, attends Sewer Commission meetings.
- Communicates with local, state, and federal agencies with respect to processing applications, completion of forms, meeting deadlines and follow-up on ongoing efforts with these agencies.
- Oversees and acts as supervisor to clerical staff.

DESIRED MINIMUM QUALIFICATIONS

Education and/or Experience

- Associates Degree in Business, Municipal Government Accounting, or Finance
- Two years experience in a related field or similar field or position in the public or private sector.
- Any equivalent combination of education and experience.

Knowledge and Skills

- A working knowledge of office practices and procedures common in the workplace today.
- General knowledge of the department operations and functions.
- Ability to establish and maintain effective working relationships with employees, town officials, other government officials, and the general public.
- Ability to maintain confidential information.
- Must be proficient in the use of spreadsheet software, word processing software, and accounting software.
- Must be familiar with accepted accounting procedures and learn those procedures and protocols specific to the Town of Tyngsborough.
- Ability to use e-mail and internet.
- Ability to operate the listed tools and equipment.
- Must be able to communicate effectively orally and in writing.

TOOLS AND EQUIPMENT

Personal computer, telephone, fax machine, copy machine, typewriter, calculator and adding machine.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to operate, finger, handle, or feel objects, tools, or controls; reach with hands and arms; and stoop, kneel, crouch, or crawl. The employee may occasionally lift and/or move up to 50 pounds.

Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderate. Attendance at some evening meetings with other town boards and/or Town Meetings will be required.

CHRISTINE M. MICELI

10 Beverlee Road, Tyngsboro, MA 01879

June 28, 2010

Mr. Michael Gilleberto
Town Administrator
Town of Tyngsborough
25 Bryants Lane
Tyngsborough, MA 01879

Dear Mr. Gilleberto,

I am writing in response to the advertised opening for a Sewer Administrator at the Tyngsborough Sewer Department.

As you know, I am currently the Highway Clerk for the Town of Tyngsborough. As the Highway Clerk, I have performed many of the duties outlined in the job description for the Sewer Administrator. Since taking the position of Highway Clerk in November, I have implemented several changes that have improved the efficiency of the office. I have been extremely hands-on throughout the budget process, the bid solicitation process, and with requesting State funding for paving projects and equipment. I possess excellent communication skills and I have positive working relationships with many other town departments and employees.

I am confident that, due to my experience at the Highway Department and in my previous positions, I am an excellent candidate for the Sewer Administrator. I look forward to an opportunity to meet with you so that we may further discuss this position and my qualifications.

Sincerely,

Christine M. Miceli

Christine M. Miceli

Attachment

CHRISTINE M. MICELI

10 Beverlee Road, Tyngsborough, MA 01879 *

EXPERIENCE

TYNGSBOROUGH HIGHWAY DEPARTMENT, Tyngsborough, MA Nov. 2009 – 2010

Clerk

Highway Clerk supporting the Highway Administrative Assistant

- Responsible for processing payroll for Highway Department Employees
- Prepares weekly warrants for payment of invoices in conjunction with Highway Department
- Assists with the preparation of the Highway Operating Budget
- Manages Department payroll and expense budget
- Manages Department snow budget and tracks snow related expenses and payroll
- Assists Highway Administrator with annual bid solicitation and award notification
- Assists with requests for Ch. 90 State Funding for Paving Projects and Equipment
- Interfaces with the public, town employees, and administrators in person, by telephone, by correspondence and/or by e-mail

TYNGSBOROUGH PUBLIC SCHOOLS, Tyngsborough, Ma 2008 - 2009

Secretary

Secretary at the Tyngsborough Early Childhood Center

- Responsible for creating new student records and updating existing records using Power School software
- Entering student attendance and running attendance reports
- Organizing monthly school-wide family events
- Answering telephones and greeting all visitors to the school
- Ensuring that all visitors have proper identification

GLOBAL FITNESS, Tyngsborough, Ma 2006 - 2008

Child Care Professional

Child Care Professional working in a fitness club environment

- Responsible for the care of children ages 3 months to 12 years
- Check children in and out of the child care room
- Keep track of payments made with cash or pre-paid card
- Take reservations by phone and in person
- Worked in the sales department giving tours and explaining membership options to potential members

CRAIG C. CAMPBELL, CPA/ RENEE B. PLUMMER, CPA, Dracut, Ma 2006 - 2007

Accounting Assistant

Accounting Assistant for a small, full-service accounting firm

- Completed weekly payroll for several small business clients using Quickbooks
- Kept full financial records for four clients including bill payments, reconciliation of bank statements, and payroll deposits
- Assisted in filing quarterly reports to the IRS for business clients

W.W. GRAINGER, INC., Woburn, Ma

1990 – 1996

Administrative Assistant, District Sales and Operations

Administrative Assistant to the District Sales Manager, District Branch Operations Manager, and National Accounts Manager

- Provided support to all managers including scheduling, expense tracking, and travel arrangements
- Responsible for creating and maintaining Excel spreadsheets and reports for tracking sales territories and results
- Typed and distributed sales and operations memos
- Primary interface for incoming telephone calls for managers and entire sales force
- Performed all necessary data entry, copying, filing, and mailing (USPS, UPS, FedEx)

KNOWLEDGE AND TRAINING

Operating Systems: Windows (95/98/NT/2000/XP), MacIntosh

Software: Microsoft Office

Word, Excel, Powerpoint, Outlook

Quicken

Quickbooks

Lacerte

Powerschool

EDUCATION

A.S. Business Science, CASTLE COLLEGE, Windham, NH

VOLUNTEER EXPERIENCE

Education Foundation for Tyngsborough, President	May 2009 -- May 2010
Education Foundation for Tyngsborough, Board Member	2008 - Present
Committee for Taxation Aid for Education, Secretary	2008 - Present
Superintendent Screening Committee	2008
TES Assistant Principal Interview Committee	2007
TYSA Soccer Coach	2007
Brownie Troop Leader	2003 – 2005
Tyngsboro Early Childhood Center, Elementary and Middle School Councils	2001 – Present

Summary of Accomplishments
At
Tyngsborough Highway Department

- Use of Excel spreadsheets to automate several clerical duties that were previously completed manually
 - Payroll
 - Time Used Tracking
 - Snow Expense Tracking
- Worked with Hwy Administrator on the annual bid process; automated communication with most bidders
- Worked with Hwy Administrator to improve overall communication with the public
 - Follow up with **all** phone calls and e-mails
 - Update Town website with information on paving projects and road closures
 - Use of Twitter to communicate weather/road conditions
 - Completed Highway Department page for Tyngsborough Annual Report (this had not been done in prior years)
- Worked with Jim Hustins and MASS DOT to acquire equipment through state funding
 - Hot Box
 - Cement Mixer
- Worked on Budget process for 2011 Operating Budget
- Completed worksheet for Strategic Financial Planning Committee

Attachment A

Town of Tyngsborough

Application

Senior Citizen Property Tax Work-off Abatement Program

JOB APPLYING FOR: TOWN HALL

Name: RODNEY J. WOOD

Address: _____

Telephone: (978) _____

The applicant may attach additional information as appropriate.

Are you over the age of 60? (as of today)

☒ yes ☐ no

Have you owned and resided at the above property for at least 5 years? See requirements. ☒ yes ☐ no

Do you plan to continue to own and reside at the above property for at least 1 year? See requirements.

☒ yes ☐ no

☐ Do you owe real estate taxes on the above property?

☐ yes ☒ no

Education: (highest level achieved) HIGH SCHOOL & 2 YEARS NIGHT CLASSES RHODE ISLAND SCHOOL OF DESIGN

Employment History/Experience/Profession: RETIRED AFTER 37 YEARS AT ETEK CORP / GOODRICH CORP. PROPERTY ADMINISTRATOR IN CHARGE OF COMPANY ASSETS & GOVERNMENT PROPERTY

Skills, Abilities, Knowledge (Please provide an attachment if necessary): CONTROLLED AND INVENTORIED ALL CAPITAL ASSETS / EXPENSED ITEMS AND GOVERNMENT PROPERTY. SOLD FOR THE COMPANY \$300,000. - A PROFIT OF ASSETS THAT THEY WANTED TO SCRAP.

Typing/keyboarding: _____ words per minute

Computer Skills: Microsoft: ☒ Word ☒ Excel ☐ Access

Other Skills: 20 YEARS ON TYNGSBOROUGH HISTORICAL COMMISSION & A MEMBER OF THE BICENTENIAL COMMITTEE. I WOULD LIKE TO CONTINUE THE WORK THAT I STARTED TWO YEARS AGO WORKING ON THE ACCEPTANCE OF THE ROADS.

I certify that all statements made on or in connection with this application are true, complete and correct to the best of my knowledge and belief, and are made in good faith. I understand that incomplete, false, or inaccurate information may result in the rejection of this application and that false information may result in my dismissal if selected for participation in this program. I understand that I will receive compensation in the form of a Property Tax Abatement earned at a rate no greater than the State minimum wage rate of _____ per hour worked. I understand that I can earn an abatement of no more than \$750 per fiscal year for which I need to work a total of 94 hours.

Rodney J. Wood
Applicant Signature

23 June 2010
Date

Attachment A

Town of Tyngsborough

Application

Senior Citizen Property Tax Work-off Abatement Program

JOB APPLYING FOR: Library Aide

Name: Cheryl A. Looney

Address: _____

Telephone: (978) _____

The applicant may attach additional information as appropriate.

Are you over the age of 60? (as of today) ☒ yes ☐ no

Have you owned and resided at the above property for at least 5 years? See requirements. ☒ yes ☐ no

Do you plan to continue to own and reside at the above property for at least 1 year? See requirements. ☒ yes ☐ no

Do you owe real estate taxes on the above property? ☐ yes ☒ no

Education: (highest level achieved) 12

Employment History/Experience/Profession: Department of Corrections - (Retired)
Record Department - Concord, Ma.

Skills, Abilities, Knowledge (Please provide an attachment if necessary): Computer
Typing, Telephone, Record Inventory, Filing, Copy Machine,
Sorting Mail, Filing, Straighten Inmate Records
on shelves. Verify legal paperwork is in correct section
of Inmate File.

Typing/keyboarding: 40 words per minute

Computer Skills: Microsoft: ☒ Word ☐ Excel ☐ Access

Other Skills: _____

I certify that all statements made on or in connection with this application are true, complete and correct to the best of my knowledge and belief, and are made in good faith. I understand that incomplete, false, or inaccurate information may result in the rejection of this application and that false information may result in my dismissal if selected for participation in this program. I understand that I will receive compensation in the form of a Property Tax Abatement earned at a rate no greater than the State minimum wage rate of \$3.00 per hour worked. I understand that I can earn an abatement of no more than \$750 per fiscal year for this program. I need to work a total of 94 hours.

Cheryl A. Looney
Applicant Signature

June 18, 2010
Date

Attachment A

Town of Tyngsborough

Application

Senior Citizen Property Tax Work-off Abatement Program

JOB APPLYING FOR: Council On Aging Aide

Name: Rachel Gray

Address: _____

Telephone: (978) _____

The applicant may attach additional information as appropriate.

Are you over the age of 60? (as of today) ☒ yes ☐ no

Have you owned and resided at the above property for at least 5 years? See requirements. ☒ yes ☐ no

Do you plan to continue to own and reside at the above property for at least 1 year? See requirements. ☒ yes ☐ no

Do you owe real estate taxes on the above property? ☐ yes ☒ no

Education: (highest level achieved) High School

Employment History/Experience/Profession: Homemaker - Library Aide
Church Volunteer -

Skills, Abilities, Knowledge (Please provide an attachment if necessary): Kitchen skills, catering, etc., organizational.

Typing/keyboarding: 80 words per minute

Computer Skills: Microsoft: ☒ Word ☐ Excel ☐ Access

Other Skills: _____

I certify that all statements made on or in connection with this application are true, complete and correct to the best of my knowledge and belief, and are made in good faith. I understand that incomplete, false, or inaccurate information may result in the rejection of this application and that false information may result in my dismissal if selected for participation in this program. I understand that I will receive compensation in the form of a Property Tax Abatement earned at a rate no greater than the State minimum wage rate of \$8.00 per hour worked. I understand that I can earn an abatement of no more than \$750 per fiscal year for which I need to work a total of 94 hours.

Rachel Gray
Applicant Signature

6-21-10
Date

Attachment A

Town of Tyngsborough

Application

Senior Citizen Property Tax Work-off Abatement Program

JOB APPLYING FOR:

Senior Aide for COA

Name:

RITA A. EVICCI

Address:

Telephone: (978)

The applicant may attach additional information as appropriate.

Are you over the age of 60? (as of today)

☒ yes ☐ no

Have you owned and resided at the above property for at least 5 years? See requirements.

☒ yes ☐ no

Do you plan to continue to own and reside at the above property for at least 1 year? See requirements.

☒ yes ☐ no

Do you owe real estate taxes on the above property?

☐ yes ☒ no

Education: (highest level achieved)

Supernumerary

Employment History/Experience/Profession:

Skills, Abilities, Knowledge (Please provide an attachment if necessary):

same as last year

Typing/keyboarding: _____ words per minute

Computer Skills: Microsoft: ☐ Word ☐ Excel ☐ Access

Other Skills: _____

I certify that all statements made on or in connection with this application are true, complete and correct to the best of my knowledge and belief, and are made in good faith. I understand that incomplete, false, or inaccurate information may result in the rejection of this application and that false information may result in my dismissal if selected for participation in this program. I understand that I will receive compensation in the form of a Property Tax Abatement earned at a rate no greater than the State minimum wage rate of \$8.00 per hour worked. I understand that I can earn an abatement of no more than \$750 per fiscal year for which I need to work a total of 94 hours.

Applicant Signature

Date

Rita A. Evicci
7-1-10

Attachment A

Town of Tyngsborough

Application

Senior Citizen Property Tax Work-off Abatement Program

JOB APPLYING FOR: Library

Name: Charlotte A. Roseman

Address: _____

Telephone: (978) _____

The applicant may attach additional information as appropriate.

Are you over the age of 60? (as of today) ☒ yes ☐ no

Have you owned and resided at the above property for at least 5 years? See requirements. ☒ yes ☐ no

Do you plan to continue to own and reside at the above property for at least 1 year? See requirements. ☒ yes ☐ no

Do you owe real estate taxes on the above property? We're on the abatement program ☒ yes ☐ no

Education: (highest level achieved) High School

Employment History/Experience/Profession: Please see attached

Skills, Abilities, Knowledge (Please provide an attachment if necessary):

Please see attached

Typing/keyboarding: ? words per minute

Computer Skills: Microsoft: ☐ Word ☐ Excel ☐ Access

Other Skills: _____

I certify that all statements made on or in connection with this application are true, complete and correct to the best of my knowledge and belief, and are made in good faith. I understand that incomplete, false, or inaccurate information may result in the rejection of this application and that false information may result in my dismissal if selected for participation in this program. I understand that I will receive compensation in the form of a Property Tax Abatement earned at a rate no greater than the State minimum wage rate of \$8.00 per hour worked. I understand that I can earn an abatement of no more than \$750 per fiscal year for which I need to work a total of 94 hours.

Charlotte A. Roseman
Applicant Signature

6-20-2010
Date

June 21, 2010

Mrs. Claudette A. Rondeau

Tyngsborough, MA 01879

Mr. Michael P. Gilleberto, Town Administrator
Town Hall
Tyngsborough, MA 01879

Dear Mr. Gilleberto.

My husband and I have been residents and taxpayers of Tyngsboro since 1956. I volunteer year round in the Library and for the last two years I also worked on the Tax Write-off program. I am now re-applying for a position on this year's program. I've enclosed the application and below, listed my work history and experience.

In the past seven/eight years, I've worked part time as a volunteer at the Tyngsborough Senior Center also.

- My duties included data entry, phones, tally monies and helping with the meals program.
- At present my volunteer hours consists mostly of working the bingo on Tuesday afternoons and also help, if and when needed, at the monthly veterans' breakfast.
- I was also a member of the Council on Aging Board for four years.

Prior positions:

From July 1989 through July 1996:

- ENSR Consulting and Engineering in Acton, MA.
Responsibilities included collections of approx 200 to 300 accounts
resolve late or short shipments and issuing of debits and credits for same.
- From 1980 through 1989:
Employed by Arrow Electronics in Billerica, MA
Duties included collections and resolving debits and credits
- From 1969 through 1980:
Employed by the Northern Massachusetts Telephone Workers' Credit Union
Worked in all phases of banking, such as teller, loans, collections, balancing cash etc.

Previous to that I was employed as a garment stitcher for seventeen years, at the
New Knit Mfg. Co. of Lowell, MA.

I attended St. Louis Academy in Lowell, MA for 3 years. I later attended Lowell High school evening classes and received my high school diploma, graduating in June 1985.

I enjoy bowling, stitching, crafts and some volunteering.

Your consideration is again appreciated.

Sincerely,

Claudette A. Rondeau

Attachment A

Town of Tyngsborough

Application

Senior Citizen Property Tax Work-off Abatement Program

JOB APPLYING FOR: Library Aide

Name: Grace Ann Steed

Address: 0 Tyngsford, Ma

Telephone: (978) _____

The applicant may attach additional information as appropriate.

Are you over the age of 60? (as of today) ☒ yes ☐ no

Have you owned and resided at the above property for at least 5 years? See requirements. ☒ yes ☐ no

Do you plan to continue to own and reside at the above property for at least 1 year? See requirements. ☒ yes ☐ no

Do you owe real estate taxes on the above property? ☐ yes ☒ no

Education: (highest level achieved) M.B.A. Babson College
B.S. Northeastern University

Employment History/Experience/Profession: Health Care Administration
and Xerox Corporation

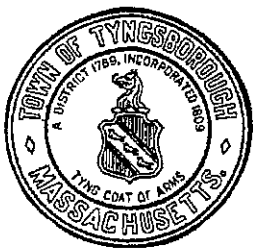
Skills, Abilities, Knowledge (Please provide an attachment if necessary):
good with people, I make sure the job is
done, have very good knowledge of the
job, completed the task

Typing/keyboarding: some words per minute
Computer Skills: Microsoft: ☐ Word ☐ Excel ☐ Access
Other Skills: resume would be provided
if necessary

I certify that all statements made on or in connection with this application are true, complete and correct to the best of my knowledge and belief, and are made in good faith. I understand that incomplete, false, or inaccurate information may result in the rejection of this application and that false information may result in my dismissal if selected for participation in this program. I understand that I will receive compensation in the form of a Property Tax Abatement earned at a rate no greater than the State minimum wage rate of \$8.00 per hour worked. I understand that I can earn an abatement of no more than \$750 per fiscal year for which I need to work a total of 94 hours.

Grace Ann Steed
Applicant Signature

June 17, 2010
Date



TOWN OF TYNGSBOROUGH
Board/Committee Quarterly Report
Board/Committee: _____

Year: FY 2011

Report for the period ending: September 30 December 31 March 30 June 30

Officers: Chairperson: _____
Vice-Chairperson: _____

Meetings held (dates): _____

Ongoing projects:

Project	Status	Estimated completion

Other notes:

Signed: (name) _____
(title) _____

Town of Tyngsborough Job Posting

Position: Plumbing/Gas Inspector

The Town of Tyngsborough is seeking applicants for the position of Plumbing/Gas Inspector. This is a part time position, with an annual salary of up to \$17,634. The incumbent will be charged with the inspection of residential, commercial, and industrial building construction and renovation, ensuring compliance with laws for plumbing and gas safety, including CMR 248 and CMR 521. Under the supervision of the Building Commissioner, assists Town boards, citizens, and others. Required qualifications: candidates must possess a Massachusetts Master Plumber Certification. Preferred qualifications: candidates should have familiarity with municipal inspectional services. An emphasis will also be placed on customer service skills. Job description is available in the Selectmen's Office at 25 Bryants Lane. Send resume and cover letter to Town Administrator Michael Gilleberto, 25 Bryants Lane, Tyngsborough, MA 01879. Position is open until filled. EOE.

Paul J. Raffi

8 Bridge Lane, Wilmington, MA 01887

August 17, 2010

Mr. Michael Gilleberto
Town Administrator
Town of Tyngsborough
25 Bryants Lane
Tyngsborough, MA 01879

Dear Mr. Gilleberto,

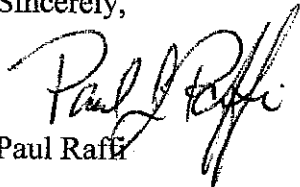
I wish to apply for the position of Plumbing/Gas Inspector for the Town of Tyngsborough. I believe that the work that I have done on behalf of Wilmington for many years as Plumbing and Gas Inspector, as well as my depth of plumbing industry experience as a master plumber and contractor, enable me to contribute in an effective and knowledgeable manner to the health and safety of the Tyngsborough community.

My attached resume provides a review of my strengths and my substantial inspection and industry experience. As Wilmington's Plumbing and Gas Inspector for 6 years, I have reviewed and evaluated many residential, commercial, and industrial projects. I have cultivated a strong comprehensive knowledge of commercial systems, having been involved in projects at Wilmington companies such as Koch Membranes and Charles Mer Laboratories. As part of my inspector's responsibilities, I work closely with members of the Wilmington Police Department regarding gas piping and carbon monoxide issues, and with the Wilmington Board of Health regarding health and safety matters. During my career as a master plumber and plumbing contractor, I have worked on numerous projects requiring technical skill, blue-print interpretation, and problem-solving capabilities, and for commercial job sites, have demonstrated the ability to work in business locations whose hours of operation needed to be accommodated.

In summary, I believe that my depth of plumbing knowledge, proven application of industry theory to field situations, and extensive network of state and municipal inspection resources, combined with my demonstrated qualities of self-motivation and problem-solving, will enable me to be a successful Plumbing/Gas Inspector for the Town of Tyngsborough. I look forward to hearing from you and having the opportunity to further discuss my qualifications. I can be reached on my cell, 978-807-0798, or via email, raffiplumbing@comcast.net.

Thank you for your consideration.

Sincerely,


Paul Raffi

**EXPERIENCED MUNICIPAL PLUMBING AND GAS INSPECTOR
WITH 15+ YEARS OF PROVIDING PROFESSIONAL INSPECTIONAL SERVICES**

Objective

To attain the position of Plumbing/Gas Inspector for the Town of Tyngsborough, utilizing depth of inspection experience and technical knowledge to contribute to the safety and enhancement of the community.

Summary of Skills

Proficient in the interpretation and application of State Plumbing and Gas Codes pertinent to residential, commercial, and industrial projects, both new and renovated. Accomplished with the inspection of acid waste systems, deionized water systems, industrial gas-fired boiler systems, and manufacturing process piping. Proven record of enforcement according to code. Skilled at reviewing prints for fixture count and pipe sizes.

Core Strengths

- *Blueprint Interpretation and Evaluation*
- *Strong Attention to Detail*
- *Commitment to Quality Control*
- *Proficient in Applying Theory to Field Situations*
- *Established Trade Contractor*
- *Comprehensive Knowledge of MA Plumbing and Gas Codes*
- *Extensive Network of State and Municipal Resources*
- *Prompt Filing of Required Reports/Notices*
- *Results-Oriented, Successful Project Management*
- *Diverse Plumbing and Heating Experience*

Certifications/Education/Training

Plumbing Inspector Continuing Education Courses
Master Plumbing and Gasfitters License #9898 – Licensed since 1983
NH Master Plumbing License #2479 – Licensed since 1986
Oil Technician License #027959 - Licensed since 1990
Federal Environmental Protection Agency (EPA) Renovator Lead Certification – June 2010
New England Fuel Institute Courses, Certification

Inspection and Trade Experience

2004-Present: Plumbing Inspector, Town of Wilmington, MA

Interpret and apply Massachusetts Plumbing and Gas Codes to ensure regulatory compliance and public safety and health. Advise permit applicants on necessary code requirements for work to be performed. Review and comment on project blueprints and designs on an on-going basis.

1995-2004: Assistant Plumbing Inspector, Town of Wilmington, MA

Assisted town plumbing inspector as needed and performed inspections as required.

1985 – Present: Owner/Operator, P.J. Raffi Plumbing and Heating, Inc., Wilmington, MA

Design, schedule, and implement plumbing and heating systems for new construction and renovations of residential and commercial properties. Produce estimates for work to be performed as requested. Perform warranty and repair work as needed.

Professional Affiliations

New England Plumbing and Gas Inspectors Association (NEPGIA)
Plumbing, Heating, Cooling Contractors of Massachusetts (PHCC - MA)
North East Builders Association (NEBA)

DANIEL FITZGERALD

15 Wiley Hill Road
Londonderry, NH 03053
Telephone:

010 AUG 15 11 37

NOTED
TYM - 08/15/08, NA.

OBJECTIVE:

To secure a position in the field of Plumbing, Heating, or Air Conditioning with a potential for career advancement.

EXPERIENCE:

- Coordinated material, manpower and equipment while supervising up to 20 men on large commercial projects
- Coordinated layout and schedules with General Contractors and other trades according to building plans and CAD drawings.
- Installed plumbing, heating, and chilled water systems on large construction projects including schools, hospitals, pharmaceutical labs, manufacturing /commercial buildings, and restaurants.
- Serviced commercial and residential A/C systems and restaurants with commercial kitchen equipment.
- Installed special waste and R.O.D.I. water systems.

EMPLOYMENT HISTORY:

2003 -- 12/2008	Sagamore Plumbing & Mechanical Inc Project Foreman	Weymouth, MA
2000 - 2003	Youngblood Company Inc Project Foreman	Haverhill, MA
1997 - 2000	Mechanical Systems Inc Plumbing Foreman, A/C Tech	Salem, NH
1995 -1997	Edward Kelley HVAC Service Manager	Lowell, MA

LICENSES/CERTIFICATIONS:

Master Plumber, MA; Journeyman Plumber, MA; Refrigeration Technician, MA
Master Plumber, NH; Gas License, NH
Special Waste (Enfield & Fusesal) , OSHA 30, Bloodborne Pathogens, Aerial Lift, First Aid, CPR,
EPA Universal recovery .

E-mail: abarbs@comcast.net
110 Duncan Drive Cel.
North Andover, Ph
MA 01845 Fa.

AUG 13 2009 9:35

JOSEPH BARBAGALLO
110 DUNCAN DRIVE
NORTH ANDOVER, MA.

Joseph Barbagallo

Objective To obtain a Plumbing Inspector or Assistant Inspector position

Education

- North Reading High School
- North Shore Regional Vocational School
- Continuing Education for licensure renewal

**Work
experience**

PRESENT

Self employed since 1980 as a residential and commercial plumber

PAST

Barbagallo Construction

Self employed as a construction supervisor constructing single family residences and condominiums.

**Accreditations
and licenses**

Massachusetts:

Master Plumber

Construction Supervisor

Home Improvement Contractor

Oil Burner Technician

Certified Wirsbo Installer

Authorized Rinnai Installer

New Hampshire:

Master Plumber

Gas Fitter

August 11, 2010

Town of Tyngsborough

Michael Gilleberto, Town Administrator
25 Bryants Lane
Tyngsborough, MA 01879

Dear Michael,

I am currently employed at Hogan Regional Center, Department of Mental Retardation, Commonwealth of Massachusetts, as a Plumber and Steam fitter I. I also teach the Massachusetts Plumbing Code at Greater Lowell Vocational Technical High School for the Adult Continuing Education program.

With over 25 years experience as a Licensed Journeyman and Master Plumber, I have extensive knowledge within my field and of the plumbing code and will prove to be an asset to your town. My expertise reflects my ability to communicate well with others, meet deadlines, and prioritize.

I would like to thank you in advance for taking the time to review my resume. I look forward to hearing from you to discuss this great career opportunity. Thank you for your consideration.

Sincerely,


Robert P. Beecher, Jr.

ROBERT P. BEECHER, JR.

OBJECTIVE

Master Plumber position

To secure the position of Plumbing/Gas Inspector with The Town of Tyngsborough where I would be able to utilize my expertise and experience in the State Plumbing and Fuel Code.

PROFESSIONAL EXPERIENCE

Hogan Regional Center
Department of Mental Retardation
Plumber and Steam Fitter I

March 2008- Present

Install, repair, maintain and/or alter sanitary fixtures, heating units, drainage systems steam tables, industrial cafeteria equipment and perform related work. Apply for all necessary plumbing permits and stand inspections. Coordinate all jobs and order necessary stock.

R.P.B. Plumbing & Heating, Inc.
Tewksbury, MA
Owner/President

1997- 2008

Billerica Public Schools Plumbing Contract:
Frank Antonelli Assistant Superintendent of Schools 978-436-9505

General plumbing maintenance for 10 public schools and 1 ice rink, including, but not limited to: replaced/repaired fixtures, faucets, specialty waste piping, water pipe/drains, circulator pumps, hot water booster tanks, boilers, commercial water heater, and commercial kitchens. Replaced grease traps, dishwashers, steam pipe, and steam traps. Contracted out remodeled bathrooms, handling all subcontractors, consisting of tiled floors, walls, bathroom petitions, countertops, cabinets, miscellaneous dispensers.

Greater Lowell Technical High School
Nancy Harrington Director of Adult Post-Secondary and Health Cluster
978-441-5388

January 2007-Present

Massachusetts Plumbing Code Instructor for the Adult Post-Secondary Vocational Trade.

COMMONWEALTH OF MASSACHUSETTS

DIVISION OF PROFESSIONAL LICENSURE BOARD OF

**PLUMBERS AND GASFITTERS
LICENSED AS A MASTER PLUMBER**

ISSUES THE ABOVE LICENSE TO:

BERT P BEECHER JR

97 LINCOLN ROAD

TEWKSBURY

MA 01876-3677

LICENSE NO. EXPIRATION DATE SERIAL NO.

Field, Town/County Along All Vessels



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC SAFETY

Oil Burner Technician Certificate

Number: BU

Expires: 08/19/2012

Tr. no:

Restricted: 15,17

ROBERT P BEECHER JR

97 LINCOLN RD

TEWKSBURY, MA 01876

Thomas H. Meyer
Commissioner

Robert P Beecher

has been certified as a

Type-I Type-II

technician as required by 40 CFR Part 82, Subpart F.

RSES®

EPA Program
Approval: 9/30/93

COMMONWEALTH OF MASSACHUSETTS

DIVISION OF PROFESSIONAL LICENSURE BOARD OF

**PLUMBERS AND GASFITTERS
REGISTERED AS A PLUMBING CORP**

ISSUES THE ABOVE LICENSE TO:

ROBERT P BEECHER JR

R.P. B PLUMBING & HEATING INC

97 LINCOLN RD

TEWKSBURY

MA 01876-3677

LICENSE NO. EXPIRATION DATE SERIAL NO.

Signature

COMMONWEALTH OF MASSACHUSETTS

DIVISION OF PROFESSIONAL LICENSURE BOARD OF

**PLUMBERS AND GASFITTERS
LICENSED AS A JOURNEYMAN PLUMBER**

ISSUES THE ABOVE LICENSE TO:

ROBERT P BEECHER JR

97 LINCOLN RD

TEWKSBURY

MA 01876-3677

LICENSE NO. EXPIRATION DATE SERIAL NO.

RALPH M. DIBACCO

8 Perham Street
Chelmsford, MA 01824

LICENSED MASSACHUSETTS MASTER PLUMBER & GAS FITTER #11162

PROFILE 25 Years Residential and Commercial Experience

QUALIFICATIONS HVAC-R Universal #050200279
Carbon Monoxide and Combustion Analyst #C0405916
Journeyman Pipe Fitter #029273
Oil Burner #059323
Journeyman Fire Sprinkler #005613
NATE Certified Gas Furnaces #8533698
Trac Pipe CSST Certified #000810
Pex Water Piping Certified
Estimating
Boiler Installation
Water Purification
Furnace Installation

EXPERIENCE Have successfully owned and operated R.M. DiBacco Plumbing Heating & Cooling, Inc. for 17+ years. Interviewed, hired and trained all new employees to assure quality performance for all projects. Managed more than seven plumbers, HVAC-R technicians and support staff.

Over the past 17+ years, we have provided residential service repair and remodeling for over 5000 regular service contract clients in the Middlesex County area. We have offered sales, installation, service & maintenance of high-efficient heating and air conditioning equipment for our clients. We have also offered high-quality service repair and remodeling of all aspects of residential plumbing, gas and oil heat service.

Prior to starting this company, I was a project manager for W.P. Callahan Plumbing Corporation in Woburn, MA. Managed 20-man plus crews on multi-million dollar construction projects such as the Crown Plaza hotel in Woburn, Massachusetts-a 247-suite hotel with two full kitchens, restaurants and pub.

EMPLOYMENT Master Plumber for:
R.M. DiBacco Plumbing, Heating & Cooling, Inc. 1993-present
W.P. Callahan Plumbing, Inc. -- Woburn, MA 1988-1993
Kirkland & Shaw Plumbing, Inc. -- Lexington, MA 1985-1988

EDUCATION Minuteman Regional Vocational Technical High School, Lexington, MA
Peterson Oil Burner & HVAC Certificate -- Woburn, MA
Middlesex Community College- Small Business Management courses-

Steven Hampson
27 Whitney Road
Shirley, MA 01464
Ce
hampsonss@yahoo.com

2510 AUG 12 PM 1:00

JOHN J. COLLETTEN
TYNGSBOROUGH, MA.

August 3, 2010

Town of Tyngsborough
Michael Gilleberto
Town Administrator
25 Bryants Lane
Tyngsborough, MA 01879

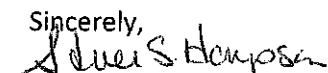
Mr. Gilleberto:

Please consider my interest of employment with your organization. The following resume will furnish you with information regarding my qualification.

I have acquired a large variety of skills through a wide range of work assignments. I feel confident in being able to apply this knowledge and experience towards the needs of your organization.

I would greatly appreciate an opportunity to discuss my qualifications with you at your earliest convince. Please contact me at the above email or telephone number to arrange an interview to further discuss how my capabilities could apply towards the realization of your company's goal.

Sincerely,


Steve Hampson

Enclosure my resume

Steven S. Hampson

27 Whitney Road, Shirley, MA 01464

hampsonss@yahoo.com

**Licensed master plumber: MPL#12508,
NHPL#4348
MedGas Certified**

EDUCATION

1984-1988	• Nashoba Valley Technical High School	Westford, MA
1996	• Certified Licensed Master Plumber in Mass & NH	
2007	• Med Gas Certified	
1994	• Navy Achievement metal	
1993	• USMC Sergeant school	
1992	• USMC Corporal Leadership School	

EXPERIENCE

2005-Present	Hampson Plumbing & Heating OWNER/MASTER PLUMBER -GAS FITTER	Lowell, MA
	<ul style="list-style-type: none">• Worked with contractors to keep the project on track and on budget.• Worked with owners to design build project• Trouble shot plumbing and heating systems• Worked on small projects as well as a million dollar plumbing projects	
2000 - 2005	Millis Plumbing & Heating FOREMAN/MASTER PLUMBER	Walpole, MA
	<ul style="list-style-type: none">• Responsible for ordering stock, writing RFT's, reading spec, and cross references blue prints.• Working first hand with all the other trades from start to completion of the job..	
1994 - 2000	Kirkland & Shaw MASTER PLUMBER - GAS FITTER	Burlington, MA
	<ul style="list-style-type: none">• Responsible for commercial, residential, and clean room jobs.• Novice project management and estimating responsibilities in collaboration with contractors.	
1989 - 1994	United States Marine Corps FLOOR SUPERVISOR/CREW LEADER - MALS 14 HANGER	Cherry Point , NC
	<ul style="list-style-type: none">• Responsibilities included supervision, management, and quality assurance for the work center handling thirty A-4, A-6, and EA6B jet engines.• Supervised twenty-five Marines in the engine work center.• Collateral duty inspector insuring quality production.	
1988 - 1989	Kirkland & Shaw APPRENTICE PLUMBER	Burlington, MA

SKILLS

Windows 2003	MS Outlook 2003	MS PowerPoint 2003	MS Word 2003
MS Excel 2003	Internet /Web	Quick Books	

ADDITIONAL

Town of Tyngsborough Job Posting

Position: Wiring Inspector

The Town of Tyngsborough is seeking applicants for the position of Wiring Inspector. This is a part time position, with an annual salary of up to \$12,955. The incumbent will be charged with the inspection of residential, commercial, and industrial building construction and renovation, ensuring compliance with laws for electrical safety, including NEPA 101, CMR 527, and NEC 2009. Under the supervision of the Building Commissioner, assists Town boards, citizens, and others. Required qualifications: candidates must possess a Massachusetts Master Electrician Certification. Preferred qualifications: candidates should have familiarity with municipal inspectional services. An emphasis will also be placed on customer service skills. Job description is available in the Selectmen's Office at 25 Bryants Lane. Send resume and cover letter to Town Administrator Michael Gilleberto, 25 Bryants Lane, Tyngsborough, MA 01879. Position is open until filled. EOE.

APPLICATION FOR EMPLOYMENT

2019 AUG 31 4:10:34

We consider applications for all positions without regard to race, color, religion, creed, sex, national origin, disability, sexual orientation, citizenship status, or any other legally protected status.

(PLEASE PRINT)

Position(s) Applied For <u>ELECTRICAL INSPECTOR</u>	Date of Application <u>8/31/10</u>
How Did You Learn About Us? <input type="checkbox"/> Advertisement <input type="checkbox"/> Relative <input type="checkbox"/> Inquiry <input type="checkbox"/> Employment Agency <input type="checkbox"/> Friend <input checked="" type="checkbox"/> Other <u>TOWN HALL</u>	

Last Name <u>SMITH</u>	First Name <u>JOSEPH</u>	Middle Name <u>HENRY</u>
Address <u>22 McARIMAC WAY</u>	City <u>UNIT A TYNESBORO</u>	State <u>MA.</u>
Telephone Number(s) <u>1.</u>	Zip Code <u>01879</u>	
Social Security Number (Voluntary)		

Best time to contact you at home is: 7:07 AM
PM

If you are under 18 years of age, can you provide required proof of your eligibility to work? ☐ Yes ☐ No

Have you ever filed an application with us before? ☐ Yes ☒ No

..... If Yes, give date _____

Have you ever been employed with us before? ☒ Yes ☐ No

If Yes, give date BACK UP ELECTRICAL INS. PRESENT

Do any of your friends or relatives, other than spouse, work here? ☐ Yes ☒ No

Are you currently employed? ☒ Yes ☐ No

May we contact your present employer? ☒ Yes ☐ No

Are you prevented from lawfully becoming employed in this country because of Visa or Immigration Status
Proof of citizenship or immigration status will be required upon employment. ☐ Yes ☒ No

Date available for work 8/31/10 What is your desired salary range? 13,955

Are you available to work: ☐ Full-Time (please indicate 1 2 3 shift)
 ☒ Part-Time (please indicate Mornings Afternoon Evenings)
 ☐ Temporary (please indicate dates available ____/____/____ - ____/____/____)

Are you currently on "lay-off" status and subject to recall? ☐ Yes ☒ No

Can you travel if a job requires it? ☒ Yes ☐ No

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

EDUCATION

	Name and Address of School	Course of Study	Number of Years Completed	Diploma Degree
Elementary School	Chelmsford School System	1st to 8th	8 YRS.	
High School	Nashoba Valley Tech High School	9 to 12.	4 YRS.	Electrical Helper
Undergraduate College				
Graduate Professional				
Other (Specify)				

Describe any specialized training, apprenticeship, skills and extra-curricular activities.

Describe any job-related training received in the United States military.

EMPLOYMENT EXPERIENCE

Start with your present or last job. Include any job-related military service assignments and volunteer activities. You may exclude organizations which indicate race, color, religion, gender, national origin, disabilities or other protected status.

1.	Employer J SMITH ELECTRIC		Dates Employed		Work Performed
	Address 5 ST. JAMES ST. LOWELL MA. 01852		From 1986	To Present	
	Telephone Number(s) 978-453-6472		Hourly Rate/Salary		
	Job Title OWNER		Starting	Final	
	Supervisor SELF				
Reason for Leaving					
2.	Employer PENTEX INC.		Dates Employed		Work Performed
	Address INDUSTRIAL WAY WILMINGTON MA.		From 1979	To 1985	
	Telephone Number(s)		Hourly Rate/Salary		PLANT ELECTRICAL & MAINT SUPERVISOR
	Job Title MAINT SUPERVISOR		Starting	Final	
	Supervisor JOHN DEPAULIS				
Reason for Leaving TO GO INTO BUSINESS					
3.	Employer		Dates Employed		Work Performed
	Address		From	To	
	Telephone Number(s)		Hourly Rate/Salary		
	Job Title		Starting	Final	
	Supervisor				
Reason for Leaving					
4.	Employer		Dates Employed		Work Performed
	Address		From	To	
	Telephone Number(s)		Hourly Rate/Salary		
	Job Title		Starting	Final	
	Supervisor				
Reason for Leaving					

If you need additional space, please continue on a separate sheet of paper.

List professional, trade, business or civic activities and offices held.

You may exclude membership which would reveal gender, race, religion, national origin, age, ancestry, disability or other protected status:

ADDITIONAL INFORMATION

Other Qualifications

Summarize special job-related skills and qualifications acquired from employment or other experience.

MA. & N.H. MASTER LICENSE # A-17105
MA & N.H. JOURNEYMAN LICENSE # E 27850
EPA & MASS LEAD CERTIFIED

SPECIALIZED SKILLS (CHECK SKILLS/EQUIPMENT OPERATED)

<input type="checkbox"/> Terminal	<input type="checkbox"/> Spreadsheet	Production/Mobile Machinery (list)	Other (list)
<input type="checkbox"/> PC/MAC	<input type="checkbox"/> Word Processing		
<input type="checkbox"/> Typewriter	<input type="checkbox"/> Shorthand		
WPM _____	WPM _____		

State any additional information you feel may be helpful to us in considering your application.

I AM NOW BACK UP TO THE ELECTRICAL INSPECTOR.
I HAVE WESTFORD Insp. DENNIS KANE TO INSPECT
ANY JOBS I HAVE IN TOWN

Note to Applicants: DO NOT ANSWER THIS QUESTION UNLESS YOU HAVE BEEN INFORMED ABOUT THE REQUIREMENTS OF THE JOB FOR WHICH YOU ARE APPLYING.

Can you perform the essential functions of the job, for which you are applying, either with or without a reasonable accommodation? ☐ YES ☐ NO

REFERENCES

1. DAVE GUTHRIE (Name) Phone # _____
487 GROTON AVE. WESTFORD MA. 01886 (Address)
2. Brian Caccagnan (Name) Phone # _____
42 DAVIS AVE. TYNGSBORO MA. 01879 (Address)
3. MIKE GENETTI (Name) Phone # _____
227 POND ST. NO. BILLENICA MA. 01862 (Address)

DIVISION OF PROFESSIONAL LICENSURE BOARD OF

**OF ELECTRICIANS
REGISTERED MASTER ELECTRICIAN**
ISSUES THE ABOVE LICENSE TO:

JOSEPH H SMITH

22 MERRIMAC WAY
UNIT A
TYNGSBORO

MA 01879-2740

LICENSE NO. EXPIRATION DATE SERIAL NO.

Fold, Then Detach Along All Perforations

DIVISION OF PROFESSIONAL LICENSURE BOARD OF

**OF ELECTRICIANS
AS A REG JOURNEYMAN ELECTRICIAN**
ISSUES THE ABOVE LICENSE TO:

JOSEPH H SMITH

22 MERRIMAC WAY
UNIT A
TYNGSBORO

MA 01879-2740

LICENSE NO. EXPIRATION DATE SERIAL NO.

Fold, Then Detach Along All Perforations

MASSACHUSETTS
DRIVER'S LICENSE

1. END NONE 2. NUMBER 1
3. DOB 09-10-1955 4. SEX M 5. AGE 58
6. SIGNATURE 7. ADDRESS 22 MERRIMAC WAY UNIT A TYNGSBOROUGH, MA 01879
8. DD 08-19-2010 Rev 07-15-2009

Paul J Sheehan

**354 Westford Road
Tyngsborough Ma 01879
Home Phone
Email PJSELEC@hotmail.com
August 5th, 2010**

**Town Of Tyngsborough
Administrator
Mr. Michael Gilleberto
25 Bryants Lane
Tyngsborough Ma 01879**

RE: Town Electrical Inspector

My interest in joining the town of Tyngsborough as the town electrical inspector has prompted me to forward my resume for this position.

I have over 28 years of professional experience in the electrical industry, of that 24 years handling building, electrical, fire, security systems installation and maintenance. Working for an OEM contractor on A US military base. I worked as the chief electrical inspector for 4 years. I was involved from design build projects, to maintenance of installations on base. All installations met the NFPA70 NEC, and DOD requirements.

As my enclosed resume indicates, I have successfully managed my own electrical firm, and have supervised large projects. I am capable of working independently, and as a team member. I do have experience in the electrical inspection process for the state of Massachusetts. I feel confident of my ability to provide quality performance to the town of Tyngsborough in any assignment that I undertake.

The resume is merely a brief review of my experience: during a personal interview we could further discuss my qualifications.

Sincerely


Paul J Sheehan

Enc: resume

Paul J Sheehan

Personal Address

354 Westford Road
Tyngsboro Mass 01879

Phone
E-mail Pjselec@hotmail.com

Professional Objective

A Challenging career opportunity in the electrical industry utilizing more than 28 years of progressive professional electrical installation and maintenance.

Qualifications

- **Self motivated** able to work independently and as a team member to meet operational deadlines.
- **Adapt easily** to new concepts and responsibilities.
- **Developed interpersonal skills** having dealt with a diversity of professionals and clients.

Professional Experience

1997-Present

Siemens Industry Inc_Fire Safety/Building Technologies Canton,MA

Lead Project Tech/Install and maintain fire alarm life safety systems. New installations & replacement systems. Test & program these systems from small conventional fire panels to large network addressable voice evac systems. Instruct junior techs on system trouble Shooting & system design. Work with, and instruct electrical contractors for acceptance testing to meet NFPA72, and local codes. Work with local AHJ & fire dept's, Inspectors, fire prevention...

Raytheon Range Systems Engineering Lexington MA

1995-1997

SR Maintenance/Control Electrician/In support of 180,000 sq ft of Industrial R&D space. Designed & integrated new HVAC control system by Johnson Controls Metasys. Performed new installations and, preventive maintenance on all electrical equipment. From 250 ton chiller units/150kw gensets. Install & maintained dod certified security alarm & Access control system. **Chief electrical inspector/Evaluated** & examined all work to be above 1996 NEC standards. Performed by a crew of 7 electricians & 4 HVAC mechanics, also assisted in Design work for large projects.

1993-1995

Sheehan Electrical Service Chelmsford MA

Owner/Electrical Contractor/Electrician/Write Proposals, estimates for Commercial & residential wiring. Then performed work as requested. Conducted all operations of company, advertising, purchasing, bookkeeping Electrical installation & maintenance (including Fire alarm, security, access control Boilers & emergency service work. Hire & oversee subcontractors for larger projects.

Relevant Training & Licensure

- Northeast Metro Regional Vocational HS Wakefield MA
- Associate Degree in Electrical Technology 1982
- Master Electrician MA State License 1988 A12555
- Journeyman Electrician MA State License 1984 E28431
- Journeyman Fire Alarm RI State License 2003 BF10072
- Boston F1/Newton/---Nicet Level-2 in Fire Alarm

Affiliations

- Associate member NFPA Electrical Section ID#134556
- Associate member I.A.E.I

References

- Furnished upon request

August 3, 2010

Town of Tyngsborough
Town Administrator
25 Bryants Lane
Tyngsborough, MA 01879

Dear Michael Gilleberto

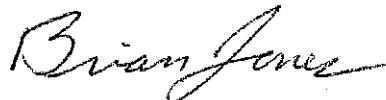
Enclosed you will find my resume, a copy of my Massachusetts Journeyman Electrical License, a copy of my Massachusetts Master Electrical License, and a copy of my 10 Hour OSHA card in response to your recent job posting for a part time electrical inspector.

As my resume will attest, I possess extensive experience in the electrical industry. I have over 23 years of experience as an electrician and owned my own electrical business for 17 years. In 2008 I received my electrical teaching license from the State of Massachusetts and I am now the related electrical teacher at Greater Lowell Technical High School.

I am highly respected in the community and school system, I am a team player as well as an individual achiever, I am committed to advancing my education and exploring new technologies such as wind, solar, and geothermal, and feel that my vast experience in the electrical industry would be a asset to the Town of Tyngsborough.

I am highly interested in this open position, am confident that I would be an asset to the town, and would greatly appreciate the opportunity of an interview to discuss this possibility. Please contact me at the number listed on my resume. Thank you for your consideration. I look forward to meeting you at your earliest possible convenience.

Sincerely,



Brian K. Jones

Brian K. Jones
112 Red Gate Road
Tyngsborough, MA 01879-1910

OBJECTIVE:

To acquire a position as part time Electrical Inspector for the town of Tyngsborough Massachusetts.

WORK EXPERIENCE:

- | | | |
|-----------------------|--|--------------------------|
| 1991 – 2008 | Jones Electric | Tyngsborough,MA. |
| • | Owner and operator of Jones Electric | |
| 2008 | Town of Lexington | Lexington,MA. |
| • | Alternate electrical inspector | |
| 2008 – 2009 | Salem High School | Salem,MA. |
| • | Electrical instructor for exploratory and electrical I, II, II students. | |
| 2009 – Present | Greater Lowell Technical High School | Tyngsborough, Ma. |
| • | Related electrical instructor teaching students the 2009 NEC and current OSHA regulations. | |

EDUCATION:

- | | |
|----------------------|---|
| 2008- Present | Fitchburg State College |
| • | Various courses toward my Bachelors Degree in Vocational Education |
| 1990 | Wentworth Institute of Technology |
| • | Completed 112 hours of instruction in Master Electrician. |
| 1987 – 1988 | Wentworth Institute of Technology |
| • | Completed 240 hours of instruction in Journeyman Electrician I and Journeyman Electrician II. |
| 1985 | Greater Lowell Technical High School |
| • | Graduated from Greater Lowell Regional Vocational Technical High School. |

LICENSE / CERTIFICATES:

- Massachusetts Department of Education Approval #: 428945
- Massachusetts Journeyman Electrical License.
- Massachusetts Master Electrical License.
- 10 hour OHSA Certification

REFERENCES:

- Furnished upon request

ACTIVITIES:

- Pursuing a Bachelors Degree in Vocational Education
- Staying current on the NEC and OSHA standards

**OF ELECTRICIANS
REGISTERED MASTER ELECTRICIAN**
ISSUES THE ABOVE LICENSE TO:

BRIAN K JONES

112 RED GATE ROAD

TYNSBOROUGH MA 01879-1910

Brian Jones
Signature

LICENSE NO.

EXPIRATION DATE

SERIAL NO.

COMMONWEALTH OF MASSACHUSETTS

DIVISION OF PROFESSIONAL LICENSURE - BOARD OF

**OF ELECTRICIANS
AS A REG JOURNEYMAN ELECTRICIAN**
ISSUES THE ABOVE LICENSE TO:

BRIAN K JONES

112 RED GATE RD

TYNGSBOROUGH MA 01879-1910

Brian Jones
Signature

LICENSE NO.

EXPIRATION DATE

SERIAL NO.

OSHAU.S. Department of Labor
Occupational Safety and Health AdministrationBrian Jones
has successfully completed a 10-hour Occupational Safety and Health
Training Course in

General Industry Safety & Health

Marc Davis
(Trainer)5-11-09
(Date)

MICHAEL J. MCDONOUGH

53 Lexington Street. Woburn, MA 01801.

EXPERIENCE

MJM ELECTRICAL, Woburn, MA

2007-Present

- Own and operate own electrical service, specializing in residential properties
- Experience in all aspects of electrical business, including pricing and managing projects

MCLABOR RESOURCES, Needham, MA

2008-Present

Senior Electrician

- Lead electrician for general troubleshooting projects
- Supervise teams of up to 3 apprentice electricians in commercial and residential projects

NORTH PEAK, Woburn, MA

2005-2007

Generalist Electrician

- Worked on wide range of projects, including lighting, piping, wiring, and heating/cooling
- Supervised two apprentice electricians

STOCKWOOD ELECTRIC, Woburn, MA

2002-2005

Electrician

- Performed electrical services on both residential and commercial properties
- Specialized in wiring and lighting

BF GARVEY & SONS, Woburn, MA

1999-2002

Electrician

- Performed electrical services on both residential and commercial properties
- Helped train new hires

EDUCATION & TRAINING

NORTHEAST METRO TECH VOCATIONAL, Wakefield, MA

2000-2002

Master Electrician License: E-51253

NORTHEAST METRO TECH VOCATIONAL, Wakefield, MA

2003-2004

Journeyman Electrician License: A-20122

WOBURN HIGH SCHOOL, Woburn, MA

1994-1997

High School Diploma

ADDITIONAL INFORMATION & INTERESTS

- Enjoy learning how to operate/fix machines: cars, motorcycles, planes, helicopters, etc.
- Have written a book, and enjoy reading books and watching movies
- Karate student: Currently training towards green belt at Tokyo Joe's Dojo in Woburn

GERARD W. RICHALL

94 Mascuppie Trail
Tyngsborough, Ma.
01879

August 4, 2010

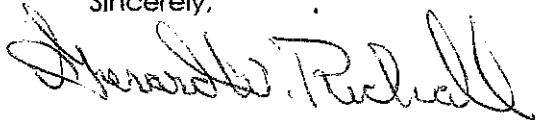
Dear Mr. Gilleberto,

I'm writing in response to your advertisement regarding the position of wire inspector for the Town of Tyngsborough. I have enclosed my resume for your review. To keep the resume brief, I omitted the first 13 years of my career which was devoted to electrical installation in residential, commercial and industrial applications.

I am available for an interview at a mutually convenient time.

Thank you for your time and consideration.

Sincerely,



Gerard W. Richall

Gerard W. Richall

94 Mascuppic Trail • Tyngsboro, Massachusetts 01879
et

Home: (

SUMMARY

Qualities

Strong customer and communication skills
Customer focused, driven to establish, grow and maintain long term relationships
Result oriented with the ability to transform complex problems into simple solutions
Ability to multi-task, embrace new challenges and employ repeatable best practices
Self motivated, positive attitude team player with the ability to lead and motivate others

Qualifications

Forty years experience in all facets of electrical work
Extensive project management experience with the ability to drive success and improve profit margin
Managerial operations experience including personnel development, leadership and some P&L responsibility

EXPERIENCE

Pheasant Lane Mall

Nashua, NH

Maintenance Supervisor

6/1999 to ~~Present~~ June 2008

Responsibilities include overseeing a department of 4 maintenance personnel responsible for maintaining the interior and exterior of the shopping center. Training personnel on all mall procedures, safety rules, and operation of mall equipment. Procuring of all materials and services necessary to properly maintain the facility. Solicitation and reviewing of bids for annual contracts.

Additional Training

- Operation of computerized Energy Management System
- Maximo maintenance Program Training
- Microsoft Office Training Seminar

Accomplishments

- As a member of the Safety Task Force, I was involved in the complete review and updating of the safety and training programs.

Starmet Corporation/Nuclear Metals, Inc.

Concord, MA

Lead man, Electrical

1987 to March 1999

Starmet is a specialty metal and powder manufacturer developing products from raw materials, supplying metals for commercial and government applications and powders for the medical industries. As the lead for the department I was responsible for the electrical maintenance of all manufacturing line equipment. The equipment included foundry, induction heating processors, heat treating and machining processes. I was also responsible for the supervision of a staff of 11 individual electricians.

Other responsibilities included:

- Securing all electrical permits
- Calibration of vacuum instrumentation
- Electrical, telecommunications, and security cabling
- Emergency back-up power supply maintenance
- Interfacing with and scheduling subcontractors
- Procurement of all project material
- Project cost estimating
- ISO 9002, CP2 work standards performance

Electrical Maintenance

1981 to 1987

Performed routine electrical repair, maintenance and trouble shooting for manufacturing and assembly machinery as well as general building maintenance and repair.

EDUCATION

Walpole High School, Walpole MA
Graduated 1966
Coyne Electrical and Technical School, Boston MA
Graduated 1969

ADDITIONAL TRAINING

- Employee Evaluation and Hiring Process
- Interview Policy and Procedures
- Compliance Training including Sexual Harassment awareness

RELATED EXPERIENCE

- Numerous manufacturing Systems
- Numerous Building Automation Systems

CERTIFICATIONS

- Fork Lift
- Industrial Boom Lift/Cherry picker
- Programmable Controllers
- Respirator Operations
- Massachusetts Continuing Education program for Massachusetts Electrical Code Certification

LICENSES

- Master Electrician, September 1971, #6558A
- Journeyman Electrician, June 1970, #18808E

REFERENCES

- Available upon request

Eric C. Weed
22 Constance Drive
Lowell, Massachusetts 01854

Education: Quantitative hours toward Electrical Journeyman License in Electrical Program, 9/79-6/84, Shawsheen Valley Technical High School, Initial classes for Electrical Engineering, BS, U Mass Lowell

Licensure: Journeyman License, Commonwealth of MA, May, 1985
Journeyman License, New Hampshire, June, 1985
Master Electrician License, Commonwealth of MA

Employment:

6/10 – present **Towline Electric (Inception)**, owner, operator, self proprietor; managing accounts that include manufacturing plant GES, machine shops such as PTP Machine and Roberts Machine, Malden Catholic High School; multiple accounts of property management including Lowell and Dracut mills, as well as audio/video and HVAC accounts.

3/07- 6/10 **Weed Electric, LLC**, owner, operator, self proprietor; managing accounts that include manufacturing plant GES, machine shops such as PTP Machine and Roberts Machine, Malden Catholic High School; multiple accounts of property management including Lowell and Dracut mills, as well as audio/video and HVAC accounts.

5/05-3/07 **Brunelle Brothers Electric, Billerica, MA**

Licensed Electrician, Foreman for Commercial, Industrial, and residential. Experience includes supervision of crew members, troubleshooting and installation of wiring for new hotel project, as well as all other needs of companies, material ordering, blueprints and planning.

3/99-5/05 **Nappa Electric, Burlington, MA**

Licensed Electrician, Foreman for Commercial, Industrial, and Biotech company and residential. Experience includes supervision of crew members, troubleshooting and installation of wiring for fire alarms, environmental rooms and all other needs of companies, material ordering, blueprints and planning.

1/92 – 3/99 **Eric Weed Electric, Tewksbury, MA**

Owner, Electrical Contractor for Industrial, Commercial and

Residential wiring. Experience includes management and supervision of all aspects of industrial, commercial and residential wiring, installation, alarming, troubleshooting for electrical upgrades and maintenance; Also, complete lighting retrofit.

4/89 – 12/91

Philip M. McGann & Sons, Woburn, MA


Licensed Electrician for Industrial, Commercial and Residential wiring. Experience includes installation and troubleshooting of residential, commercial, and industrial wiring, security and fire alarm installation and maintenance, lighting systems for Retrofit for MA Electric, and subcontracting for ADT Alarm Systems.

Trainings:

Electricity Code for & Theory for Masters, NH College Estimating Course, Oil Burner Seminar, Security & Fire Alarm Systems, Motor Control Seminar, 130 hour Masters License Course, Commonwealth of MA Journeyman Renewal Seminar, OSHA Safety Trained, CAT 5 Training

References:

Furnished upon request




Eric Weed
22 Constance Drive
Lowell, MA 01854

References

Fred Roche
230 Ballardvale Street
Wilmington, MA 01887

Ron DeBow
P.O. Box 112
Sanbornville, NH 03872



Peter Norton
PTP Machine
25 Sullivan Rd.
N. Billerica, MA 01862

Michael B. Kennedy
87 New York Street
Lowell Ma. 01854

mkennedyjbl@verizon

2010 AUG 16 5:19:33

LOWELL MASSACHUSETTS
TYNEX LOWELL, MA.

Executive Summary:

Accomplishments:

Management

- Professional demeanor.
- Major strengths in planning, problem solving and communication.
- Self-starting, goal-oriented strategist whose confidence, perseverance and vision promote success.
- Well-organized and efficient.

Organization Development

- Proven record of working within a budget.
- Quickly learn procedures and methods.
- Skilled at encouraging others and developing rapport.

Employment: Michael B. Kennedy Lowell Ma. 01854
Electrician January 1 2000 to Present

- Prepared sketches and followed blueprints to determine the location of wiring and equipment and to ensure conformance to building and safety codes.
- Executed daily operations of electrical installation and job progress
- Directed and trained workers to install, maintain and repair electrical wiring, equipment and fixtures.
- Structured and maintained a professorial business.
- Planned layout and installation of electrical wiring, equipment and fixtures, based on job specifications and local codes.
- Was instrumental in employee relations
- Maintained current Masters electrician's license in Massachusetts and Newhampshire
- Trained and managed apprentice electricians on installations and achieved significant improvements in their productivity.
- Tested electrical systems and continuity of circuits in electrical wiring, equipment and fixtures, using testing devices such as ohmmeters, voltmeters , to ensure compatibility and safety of system.
- Install and maintain 24 volt fire alarm systems.
- Installed ground leads and connected power cables to equipment, such as electrical panels, generators and motors.
- Install low voltage systems door entry intercom,66 block

- communication, data, catv terminations.
- Advised management on whether continued operation of equipment could be hazardous.
- Supervised one to six employees, scheduled work hours, resolved conflicts, determined advancement recommendations.
- Performed business management duties such as maintaining records and files, preparing reports and ordering supplies and equipment.
- Repaired and replace wiring, equipment and fixtures, using hand tools and power tools..
- Worked from ladders, scaffolds and roofs to install, maintain and repair electrical wiring, equipment and fixtures.
- Placed conduit (pipes and tubing) inside designated partitions, walls and other concealed areas, and pulled insulated wires and cables through the conduit to complete circuits between boxes.
- Spearheaded advertising efforts.
- Performed physically demanding tasks, such as digging trenches to lay conduit and moving and lifting heavy objects..
- Used a variety of tools and equipment.
- Served as Board of Director for Northeast association of Realtors, including Realtor service community committees.
- Networking skills well developed.
- Provided preliminary sketches and cost estimates for materials and services..
- Provided assistance during emergencies by operating floodlights and generators.
- Assembled, installed, tested and maintained electrical and electronic wiring, equipment, appliances, apparatus and fixtures, using hand tools and power tools.
- Researched and recommended improved circuitry on projects.
- Diagnosed malfunctioning systems, apparatus and components, using test equipment and hand tools, to locate the cause of a breakdown and correct the problem..
- Connected wires to circuit breakers, transformers and other components.
- Purchase and maintained stock purchase.
- Inspected electrical systems, equipment and components to identify hazards, defects and the need for adjustment and repair and to ensure compliance with national/mass. code.
- Constructed and fabricated parts, using hand tools and specifications.
- Provided personalized service to 2007 flood victims in City of Lowell Ma.

Electrician

February 1 1995 to December 1 1999

Education: Billerica Memorial High School Billerica Ma.
Business 1978

Nashua Valley Technical Westford Ma
Electrical Code 1995-2001

Community: Northeast Realtor Community service committee 2002 thru 2009

Awards: North East Realtor. Random Act of kindness 2007-2008

License: Master electrician Ma, and NH
Journeyman Electrician Ma.
Real estate sales person Ma,

Affiliations: North east Realtor's association
Century 21 G.J. Brown Re. Inc.

References: Available upon request

Justin M. Ferro

244 Chelmsford Street
Chelmsford, MA 01824

Ferro514@notmail.com

NOV 19 11 31 AM '08

NOV 19 11 31 AM '08

OBJECTIVE

A self-motivated journeyman electrician possessing strong technical skills seeking an electrical position.

WORK EXPERIENCE

Self-Employed **Present**

December 2008-

Journeyman Electrician

- Residential and light commercial service installation
- Fire alarm installation
- Troubleshooting and repair
- Lighting and power installation
- Pipe fitting, calibrations and rebuilding equipment

Electrical Dynamics Incorporated **2008** North Reading, MA

April 1996- November

Site- Foreman (Journeyman Electrician)

- Responsible for overseeing approximately 14 licensed electricians
- Organize work by interpreting electrical schematics, blueprints and parts specifications
- Manage projects ranging between \$500,000 to \$1.2 Million
- Commercial Service Installation
- Maintain Contractor and Customer Relations
- Low voltage control wiring
- Lighting and power installation
- Ground up electrical Contracts

Lerra Electric **2007** Braintree, MA

October 2005- February

Journeyman Electrician

- Residential and light commercial service installation
- Fire alarm installation
- Troubleshooting and repair

Pekins Landscaping and Excavating **1996** Lexington, MA

February 1995- March

Operations Supervisor

- Supervised all facets of landscaping operation including : materials, employees and seasonal ground maintenance
- Installation of irrigation systems
- Snow removal services
- Mechanical Maintenance

TECHNICAL SKILLS

- Fire Alarm & Security Installation
- Lenel Access & AMAG Access controls

- Air conditioning and heating controls
- Telephone and cable installation
- Strong Mechanical Skills

EDUCATION & CERTIFICATIONS

George W. Gould Construction Institute,
American Builder and Contractors
Journeyman Electrician License

January 1996- May 1999

United States Army
Worcester, MA

May 1993-March 1996

Emergency Medical Technician

Sam OMalley
11 Dean St.
Stoneham, MA, 02180

Omalley-2@rocketmail.com

OBJECTIVE

- To join a dynamic team utilizing my skills in residential and commercial work.
- To continue to grow professionally through new challenges.

QUALIFICATIONS

- Journeyman electrician, more than 7 years experience.
- Able to write commercial and residential proposals for new and old work.
- Skilled at supervising and directing subcontractors/apprentice.
- Knowledge of commercial and residential building and electrical codes.
- Able to read and interpret plans and bring work to completion.
- Highly motivated with ability to work as a team member or independent to meet deadlines.
- Strong customer service skills and record keeping.

PROFESSIONAL EXPERIENCE

Sam OMalley Inc.

Owner/Electrician (2006 - Present)

- Responsible for writing estimates and proposals for commercial as well as residential wiring and according to that perform work as per the request.
- Hiring and supervising apprentice as needed.
- Supervising subcontractors.
- Handling bookkeeping, advertising and electrical work.

Junior Cornet

75 Warren Avenue Malden, MA 02148

Cell:

Juniorcornet@ymail.com

Education

Kaplan Career Institute

2008-2008

Charlestown, MA

Diploma: *Electrical Program*

Received 900 clock hours towards MA Electrical License consisting of 540 hours of lecture and 360 hours of hands on projects

National Electric Code and MA Amendments

Mechanical Skills: Hand & power tools, commercial, industrial & residential wiring and piping, manual and computer estimating

Troubleshooting Skills: Meters and using schematics

- Fundamentals of electricity indirect and alternating current
- Circuit wiring and devices
- Circuit calculations & installations
- Safety tools and equipment
- Motor control wiring
- Estimating
- Specialty wiring including: fire and security alarm wiring
- Services and feeder panel sizing for commercial and residential application

Cornerstone Christian

2007

Townsend, GA

Completed all high school requirements

Experience

Deversied Electrical Services

04/2008-Present

Medford, MA

- Electrician's Apprentice
- Troubleshooting, Meters & using schematics, estimating, computer skills, replacing ceiling, hand on
- Replacing light fixtures, connecting pipes, wiring switches, using hand tools & power tools
- Replacing outlets, receptacles outlets, panel sizing feeder, electrical indirect wiring, controlling A/C & D/C current grounding load, calculating low & high voltage connecting, Using blueprint reading estimate materials needed, Code book
- Install fire alarms, motor control wiring, panel board wiring connecting, circuit breakers. Electronic System Repair.
- Installing pipes, main distribution transformers, mechanical shop maintenance skills, HVAC cooling & heating system, repair air duct system, air conditioning, electronic control system, thermometer, air fan residential, commercial, Industrial, safety equipment, fire and security alarm system.

Pierre's Hair Design Shop& Barber

06/2008-Present

Cambridge, MA

- Duties included cutting hair, line ups, beard shaving and eyebrow design.
- Responsible for cleaning and maintaining own tools
- Responsible for shop cleanliness and maintenance.

Mark DeSousa
11 Waterway Place
Tyngsboro, MA 01879

Michael Gilleberto
Town Administrator
25 Bryants Lane
Tyngsboro, MA 01879

August 10, 2010

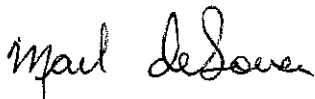
Dear Mr. Gilleberto,

Please accept my application for the position of part time Wire Inspector for the Town of Tyngsboro.

As a resident of Tyngsboro, I am dedicated to serving our community and making sure that the guidelines set forth in the code are applied uniformly throughout the community. As you will see in my resume I have always kept up with professional development opportunities relating to code and safety and have always been willing to increase my knowledge of the profession.

I am willing to meet with you at your convenience and look forward to the opportunity to discuss this position with you. You may contact me at (978) 649-7042 (home) or at (978) 621-7222 on my cell phone. I appreciate any consideration you may give me.

Sincerely,



Mark DeSousa

Mark DeSousa

11 Waterway Place
Tyngsboro, MA 01879

Phone
Cell:

QUALIFICATIONS - CERTIFICATIONS

Commonwealth of Massachusetts Masters Electrician License #A17172 (Expires 7/31/2013)
Commonwealth of Massachusetts Construction Supervisor License (Unrestricted) #57119
(Expires 4/23/2011)
Environmental Protection Agency Lead Renovator License #R-1-18499-10-12801
(Expires 5/2015)
New Hampshire Masters Electrician License #7863 (Expires 4/30/2013)
Commonwealth of Massachusetts Journeyman's License #E29059 (Expires 7/31/2013)
New Hampshire Journeyman's License #6744 (Expires 4/30/2013)

EDUCATION

2010 Certified Lead Renovator Certificate, Kachina Contractor Solutions, Andover, MA
2008 NEC Electrical Code Professional Development Certificate, Ross Seminars, Haverhill, MA
2006 Environmental Pump Training Certificate, F. R. Mahoney & Associates, Tyngsboro, MA
2005 Professional Development Fire Alarm Systems, Massachusetts Fire Alarms, Lowell, MA
2005 Professional Development Analysis of NEC Code Changes, Massachusetts Fire Alarms, Lowell, MA
1991 Construction Supervisor Certificate, Massachusetts Training Association, Clinton, MA
1986 NEC Electrical Code Professional Development Certificate, Northern Essex Community College, Haverhill, MA
1985 NEC Electrical Code Professional Development Certificate, Northern Essex Community College, Haverhill, MA
1979-1983 High School Diploma, Greater Lowell Regional High School, Tyngsboro, MA

EMPLOYMENT

1986-Current Self-employed: DeSousa Electrical Services, Inc. President, Tyngsboro, MA
Commercial, Industrial and Residential Electrical Services
Business start up: Responsible for: personnel management, Customer Marketing, Service and Scheduling, Municipal relationships and inspections, financial management, oversight of employees and co-operative education students (Lowell Vocational School), responsible for meeting OSHA regulations, compliance with CMR 527 and NEC, compliance with laws for electrical safety (National Fire Protection Agency, NFPA 101)
1983-1986 Charette Electric Service, Journeyman and Master Electrician, Tyngsboro, MA
Co-operative education student and employee

PAST COMMUNITY INVOLVEMENT

- Advisory Board of Directors - Greater Lowell Regional Vocational High School
- Co-Operative Education Employer
- Community Flood Assistance Volunteer for Lowell and Tyngsboro

REFERENCES

Professional: Robert Sheehan, City of Lowell Wire Inspector (978) 970-3333
Dennis Kane, Town of Chelmsford & Westford Wire Inspector (978) 250-5225
Doug Calopy, Dracut Wire Inspector (978) 454-0603
Business Clients: Christine Rice, 14 Nandina Drive, Tyngsboro, MA (978) 649-8966
George Boustas, Lakeside Pizza, 22 Parham Road, Tyngsboro, MA (978) 649-8880
Harvey Miller, 21 Steinbeck Street, Tyngsboro, MA (978) 226-5650



SPONSORED BY THE GREATER LOWELL CHAMBER OF COMMERCE

TYNGSBORO TOWN BUSINESS DAY

Town Hall, Community Room
25 Bryants Lane, Tyngsboro, MA

AN OPEN INVITATION TO JOIN US

*Free! Open to all businesses, new or established
addressing business issues including State & Municipal issues, Financial Options, Technical
Assistance, Business Counseling & Training*

October 7, 2010

7:30 A.M. – 9:30 A.M.

GUEST SPEAKERS

Ms. Jeanne Osborn, President & CEO GLCC
Mr. Michael P. Gilleberto, Tyngsboro Town Administrator
Senator Steven Panagiotakos
State Representative Colleen M. Garry
Mr. George E. Noel, MA Director of Labor
Ms. Elizabeth Coughlin, Tyngsboro Selectwoman
Mr. Ken Goode, Vice President, MassDevelopment
Ms. Terry Williams, Assistant Director, Lowell Small Business Assistance Center
Mr. John F. Fioriti, Supplier Diversity Office
Mr. Peter McGarry, SCORE Counselor
Ms. Gail Brown, Gr. Lowell Workforce Investment Board

For further information please call GLCC 978-459-8154
Sponsored By





Therese Gay <tgay@tyngsboroughma.gov>

Fw: Tyngsborough Trot 5K Run or Walk for Education

Martha Plante <martip33@yahoo.com>

Sun, Sep 26, 2010 at 9:10 AM

To: Martha Dixon <mdixon@adroitnetworks.com>, Nicholas DePasquale <nick.depasquale@verizon.net>, Robin Day <dayrid@comcast.net>, Elaine Franks <EJFranks@msn.com>, Ellen Singer <3bichons@comcast.net>, Ellen O'Neill <emkester@comcast.net>, Kate Ferreira <kate.ferreira@tyngsboroughps.org>, Sue Wironen <flossingsue@gmail.com>, ghusted@comcast.net, George Trearchis <george.trearchis@tyngsboroughps.org>, Jazmine Gramer <j.gramer@comcast.net>, Lucy Gertz <lgertz@massaudubon.org>, Lynda Gambale <lgambale@comcast.net>, Peggy Gramer <p.gramer@comcast.net>, Rich Gambale <richg@greenleafstreeservice.com>, Therese Gay <tgay@tyngsboroughma.gov>, Heather morris-kyer <hmorriskyer@ciber.com>, Jeff Hunt <jhunt@blueshifttech.com>, Sharon Hoole <masspenn19@yahoo.com>, Sheila Holland <sholland02072007@comcast.net>, Joanne Meleedy <meleedy@comcast.net>, Jean Jacoppi <jinxie37@aol.com>, Jeanne Michaud <jeanne.michaud@verizon.net>, Jennifer Schelly <jen@jenandneil.com>, Joanne Zaher <jomagnet@aol.com>, Joe Messina <joseph.messina@tyngsboroughps.org>, kgollihur@comcast.net, kristenalexa@comcast.net, Karen O'Donnell <odonnelltyng@verizon.net>, Lynne Keenan <lynne@resultsfitnessbylynne.com>, Sue Koczarski TGC <suefox48@yahoo.com>, The Ryans <karenjezakryan@comcast.net>

WANTED: RUNNERS, WALKERS AND RACE DAY VOLUNTEERS

DATE & TIME

Saturday, October 16th, 2010

½ mile Fun Run begins at 10:00 a.m. (for kids 12 and under)

5K Run / Walk begins promptly at 10:30 a.m. (rain or shine) with walkers just behind the runners.

LOCATION

Tyngsborough Elementary School parking lot. 205 Westford Rd., Tyngsborough, MA, 01879

REGISTRATION

Pre-register by using down loadable [form](#) or on the web at www.coolrunning.com. Search for Tyngsborough Trot under the "Races/Results" tab near the top. **T-shirt** for early registrants and race day while supplies last. (Limit 2 shirts for family rate) Race day registration is from 8:45 – 9:45 a.m. (cash or check only). Your assigned bib number must be worn throughout the entire race.

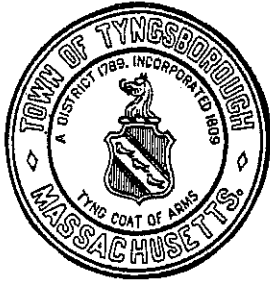
WANT TO RUN FOR FREE?

Simply raise raise \$50 in sponsors and your entry fee is waived. Raise the most money, and win a \$50 gift certificate to Sports Authority. Use registration form.

AWARDS

Cash prizes will go to the overall top 3 males and females as follows:

1st place \$100.00, 2nd place \$75.00, 3rd place \$50.00. The overall 1st place winners will also receive New Balance gift certificates.



**Town of Tyngsborough
Building Department**

25 Bryants Lane
Tyngsborough, Massachusetts 01879
Office: (978) 649-2300 Ext. 112

2010 SEP 29 THU 2:10 PM
BANGS, JAMES
TYNGSBOROUGH, MA.

September 29, 2010

To whom it may concern,

RE: Frame Inspections at Merrimac Landing

I would like to disclose that my son, of Crowell Construction, is doing the framing at this location. If Merrimac Landing calls for a Frame Inspection, Milton Kinney would do the inspection.

Respectfully,

Donald A Crowell
Interim Building Commissioner

cc: Michael P. Gilleberto, Town Administrator
Board of Selectmen
Joanne Shifres, Town Clerk

CHARLES J. ZAROULIS LAW OFFICES

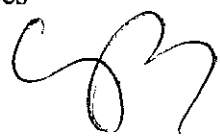
40 Church Street, Suite 500, Lowell, Massachusetts 01852-2686

Telephone (978) 458-4583

Facsimile (978) 937-0950

MEMORANDUM

TO: Board of Selectmen, Town Administrator, Board of Assessors, Board of Health, Conservation Commission, Community Preservation Committee, Planning Board, Sewer Commission, and Library Trustees

FROM: Charles J. Zaroulis, Town Counsel 

SUBJECT: Legal Opinions, Request For

DATE: September 28, 2010

To more effectively and efficiently provide legal opinions and advice, please provide me with the following information when making a request:

1. A complete and detailed narrative of all the facts;
2. The issues as perceived by the requesting party; and
3. All related documents, plans, and the like.

Except in emergencies, the requesting party should allow sufficient time for me to adequately review the facts, documents, and issues and to properly research statutes, regulations, and case law, and to prepare an opinion.

Note well, most opinions are fact driven; and, therefore, to properly address an issue, it is essential that complete, accurate, and detailed facts and records be provided.

Thank you for your cooperation.

MUNICIPAL RIGHT OF WAY

PROCESS FROM A-Z

-Class Size Limited to 45-

Agenda

8:30-9:00 AM	Breakfast/Registration
9:00 AM	Right of Way Overview
10:00 AM	Q & A
10:15 AM	Break
10:30 AM	Right of Way Overview (cont.)
11:30 AM	Q & A
11:45 AM	Lunch
12:30 PM	Concurrent Workshops: Session 1
	1-01 Plan Requirements for Municipal Projects
	1-02 TTP funding, Safe Routes to School and Transportation Enhancement Projects
1:30 PM	Concurrent Workshops: Session 2
	2-01 How to Keep Your Project Funding by FHWA
	2-02 Environmental Permitting and Process
2:15-2:30 PM	Wrap-up and Evaluations
Workshops Coming Soon!!!	
• Snow and Ice	
• Chainsaw Skills and Safety	
• Two Cycle Engine Theory	

MUNICIPAL RIGHT OF WAY PROCESS

From A-Z

10/06/10	Cranwell Resort
55 Lee Road	Lenox, MA 01240
10/14/10	Clarion Hotel
1 Atwood Drive	Northampton MA 01060
10/18/10	Beechwood Hotel
363 Plantation Street	Worcester MA 01605
10/26/10	Concord's Colonial Inn
48 Monument Square	Concord MA 01742
11/09/10	Holiday Inn
700 Myles Standish Boulevard,	Taunton MA 02780
11/10/2010	Holiday Inn
55 Ariadne Road,	Dedham MA 02026

Why Register Online?

- Instantly confirm registration!
- View how many seats are left!
- View all courses currently accepting registrations!
- View workshop flyers as well as Newsletters and Tech Notes!
- Save paper and time!

EASE DETACH AND MAIL THIS REGISTRATION FORM WITH PAYMENT AFTER REGISTERING ONLINE

Municipal Right of Way Process From A-Z

ME: _____
 LE: _____
 ENCY: _____
 DRESS: _____
 A/N OR CITY & ZIP: _____
 EPHONE: _____

Date Requested: _____

Location (city/town): _____

Please check which two (2) sessions you prefer to attend: () 1-01 () 1-02 () 2-01 () 2-02

PLEASE REGISTER ONLINE! www.mass.gov/baystateroads
 or Fax to (413)545-6471

SEND TO: Chris Ahmadjian, Baystate Roads Program UMTC,
 214 Marston Hall, 130 Natural Resources Rd, Amherst, MA 01003

Call us if you have a special request or concern (413)545-5403
 Cash or checks are accepted upon arrival.

REGISTRATION FEE

\$50.00/municipal, \$75.00 private sector
 Light breakfast, Lunch and Course Materials are Included

Make checks payable to:
The University of Massachusetts

Cancellations must be received 4 days prior to the workshop or you will be invoiced.

DESCRIPTION

This class, led by MassDOT staff, will walk you through the municipal Right of Way (ROW) process from start to finish. The course will entail a detailed workshop for municipalities and anyone planning, designing and constructing a MassDOT roadway, bridge, bike path or any other federally funded transportation project. Areas that will be covered in this workshop include:

- Fundamentals of ROW from start to finish.
- MassDOT and Federal Highway's expectations from the municipalities.
- The Federal Uniform Act and how it applies to your project
- How to address property owners and their needs.
- The correct procedures for accepting land donations.
- Areas where ROW and environmental issues overlap.
- Impacts of the environmental permitting on the ROW process.
- Requirements for securing the ROW for bicycle and pedestrian projects.
- ROW plan requirements for municipal projects.
- How to program your project on the Transportation Improvement Program (TIP).
- How to keep your project funding by FHWA

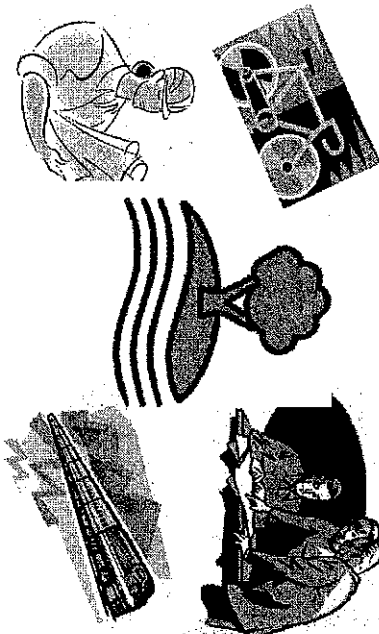
Contact the Baystate Roads Program for additional information at: info@baystateroads.org
Maximum class size is 45

WHO SHOULD ATTEND

Municipal engineers, local officials, planners, design consultants, town counsels and individuals from MassHighway, Federal Highway Administration, MPO's, Central Transportation Planning Staff, RPA's, and anyone responsible for right of way acquisition and/or design of federally and state-funded transportation projects.

This course counts towards 1 Roads Scholar Credit/0.45 CEUs

MUNICIPAL RIGHT OF WAY PROCESS FROM A-Z



10/06/2010	Cranwell Resort, Lenox
10/14/2010	Clarton Hotel, Northampton
10/18/2010	Beechwood Hotel, Worcester
10/26/2010	Concord's Colonial Inn, Concord
11/09/2010	Holiday Inn, Taunton
11/10/2010	Holiday Inn, Dedham



This Baystate Roads Program (LTAP) workshop is a cooperative effort of the Federal Highway Administration, Massachusetts Department of Transportation, and the University of Massachusetts Transportation Center.

ST 131775

Baystate Roads Program
UMass Transportation Center
214 Marston Hall
130 Natural Resources Rd
Amherst, MA 01003

Ms. Rosemary Cashman
Administrator
Town of Tyngsborough
25 Bryant Ln
Tyngsboro MA 01879-1042

01879-1042 1042

SNOW AND ICE 2010

10/15/10	Cranwell Resort
55 Lee Road	Lenox, MA 01240
10/22/10	Clarion Hotel
1	Atwood Drive, Northampton MA 01060
10/29/10	The Chocksett Inn
59	Laurelwood Road, Sterling MA 01564
11/05/10	Sheraton Colonial Boston North
1	Audubon Road, Wakefield MA 01880
11/17/10	The Holiday Inn
700	Myles Standish Boulevard, Taunton MA 02780

PLEASE MAIL THIS REGISTRATION FORM WITH PAYMENT AFTER
REGISTERING ONLINE, OR BY FAX

Please print clearly and use full names.

NAME(s): _____

AGENCY: _____

ADDRESS: _____

CITY: _____ ZIP: _____

TELEPHONE: _____

E-MAIL: _____

PLEASE REGISTER/ VERIFY ONLINE:

www.mass.gov/baystateroads

or fax this form to (413) 545-6471.

Call or e-mail if you have questions: (413) 545-5403
info@baystateroads.org

SNOW AND ICE 2010

- Choose: ☐ October 15 - The Cranwell Resort, Lenox
☐ October 22 - Clarion Hotel, Northampton
☐ October 29 - The Chocksett Inn, Sterling
☐ November 5 - Sheraton Colonial, Wakefield
☐ November 17 - The Holiday Inn, Taunton

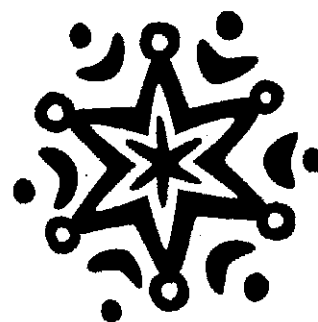
Registration Fee: \$50.00 (Includes Breakfast, Lunch and Learning Materials).

Send your payment to: Chris Ahmadjian, Baystate Roads Program, 214 Marston Hall UMTTC, 130 Natural Resources Rd, Amherst, MA 01003. Cash or Check upon arrival is acceptable. **Checks should be made out to University of Massachusetts.** MassDOT employees, please contact your training coordinator to sign up. He or she will contact our Program Coordinator to check availability.

Reservations and Cancellations Must be Received 4 days prior to each workshop. No-shows are responsible for payment.

AGENDA

8:00-8:30	Registration and Refreshments
8:30-8:45	Welcome
8:45-9:30	Environmental Impacts of Winter Operations
9:30-10:15	Benefits of Anti-Icing
10:15-10:30	Break
10:30-11:30	Weather and How to Read Weather Maps
11:30-12:00	More Anti-Icing: Advantages of Being Proactive
12:00-1:00	Lunch
1:00-2:30	Storm Scenario Exercise
2:30-2:45	Discussion of Exercise
2:45-3:00	Evaluations and Certificates



DESCRIPTION

Come and fine tune your snow and ice knowledge at our annual operational review and technical peer exchange.

The objectives of the day are to:

- ✱ Describe the environmental impacts of salt from winter operations.
- ✱ Describe anti-icing and discuss its benefits.
- ✱ Explain the benefits of spreader calibration.
- ✱ Explain weather maps.

Properly managing winter operations is crucial to your successful career. Don't miss this opportunity to learn and review. As always, the day will be informal and discussion is a must.

SPEAKER

Paul Brown is the Director of Snow and Ice Operations for MassDOT. Paul is an expert in anti-icing techniques and the cost effective use of chemicals.

WHO SHOULD ATTEND

Municipal employees, including supervisors and foremen responsible for storm operations.

This course counts towards 1 Roads
Scholar Credit/0.6 CEUs



Snow and Ice 2010 Using Chemicals Effectively

October 15, 2010
Lenox

October 22, 2010
Northampton

October 29, 2010
Sterling

November 5, 2010
Wakefield

November 17, 2010
Taunton



This Baystate Roads Program workshop is a cooperative effort of the Federal Highway Administration, Massachusetts Department of Transportation and the University of Massachusetts.

Baystate Roads Program
214 Marston Hall UMass
130 Natural Resources Rd
Amherst, MA 01003
ST 131775

CHARLES J. ZAROULIS LAW OFFICES

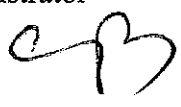
40 Church Street, Suite 500, Lowell, Massachusetts 01852-2686

Telephone (978) 458-4583

Facsimile (978) 937-0950

Memorandum of Municipal Law

To: Mr. Michael Gilleberto, Town Administrator

From: Charles J. Zaroulis, Town Counsel 

Re: Entertainment Licenses

Date: September 22, 2010

THE STATUTORY ENTERTAINMENT LICENSING SYSTEM

Licensing of entertainment provided by restaurants and nightclubs and traditional entertainment settings, such as auditoriums and theatres, is governed by the provisions of the following statutes:

1. M.G.L. c. 140, §183A

Applies to any concert, dance, exhibition, cabaret or public show conducted on the premises of holders of all-alcoholic, beer and wine and/or common victualizers licenses issued pursuant to M.G.L., c. 138 (alcoholic beverages) or M.G.L., c. 140 (common victualers).

The application shall be in writing, and contain certain information as to the type of entertainment to be presented.

Within 45 days following the receipt of an application for a §183A license, the license authorities may (1) grant the license or (2) provide the opportunity for a hearing on the application by written notice to the applicant given 7 days prior to the hearing date.

If the licensing authority does conduct a hearing, then, within 30 days, it "shall, (a) grant the license or (b) deliver to the applicant a written notice denying the license and stating in writing the reasons for such denial." (Emphasis supplied.)

2. M.G.L. c. 140, §181

Section 181 applies to theatrical exhibitions, public shows, public amusements and exhibitions held on weekdays only, to which admission is charged, or in which, after free admission, amusement is furnished upon a deposit of money in a coin controlled apparatus ... In short, §181 applies to entertainment which is not provided with the services of food or drink.

Section 181 provides that within 30 days of the receipt of the application the licensing authority shall grant the license or "shall order a hearing preceded by at least 10 days written notice to the applicant." (Emphasis supplied.)

CHARLES J. ZAROULIS LAW OFFICES

Mr. Michael Gilleberto, Town Administrator
Re: Entertainment Licenses
September 22, 2010

Page 2 of 2

Within 45 days next after the close of a hearing on the application, the licensing authorities shall grant the license or "shall deny such license upon a finding that issuance of such license would lead to the creation of nuisance or would endanger the public health, safety or order by:

- (a) Unreasonably increasing pedestrian traffic or,
- (b) Increasing the incidence of disruptive conduct or,
- (c) Unreasonably increasing the level of noise.

An application for a §181 license cannot be denied if "the anticipated harm is not significant or if the likelihood of its occurrence is remote." (Emphasis supplied.)

3. M.G.L. c. 136, § 4

Section 4 provides for the licensing of dancing or any game, sport, fair, exposition, play entertainment or public diversion held on Sundays for which consideration is paid. A Section 4 license may be granted upon such terms and conditions as the licensing authority may provide.

4. M.G.L. c. 140, §177A

Section 177A provides for the licensing of automatic amusement devices such as pinball machines and video games.

The license must specify the street and number of the premises where said device will be operated and the type of automatic amusement device to which it relates. The license does not cover any automatic amusement device that is not of the type specified on the license.

No automatic amusement device may be used for the purpose of gambling.

5. M.G.L. c. 140, §177

Section 177 provides that the licensing authorities may grant and may suspend or revoke at their pleasure licenses to operate for profit a billiard table, sippio table or bowling alley.

Prior to the grant of a license a public hearing shall be held, with applicants giving notice by registered mail to the owners of abutting real estate at least 7 days prior to the hearing.

Massachusetts State Lottery Commission

60 Columbian Street
Braintree, Massachusetts 02184-1738

Licensing Fax: (781) 849-5656

TIMOTHY P. CAHILL
Treasurer and Receiver General

MARK J. CAVANAGH
Executive Director

September 22, 2010

Town of Tyngsboro
Board of Selectmen
25 Bryants Lane
Tyngsboro, MA. 01879

Dear Sir/Madam:

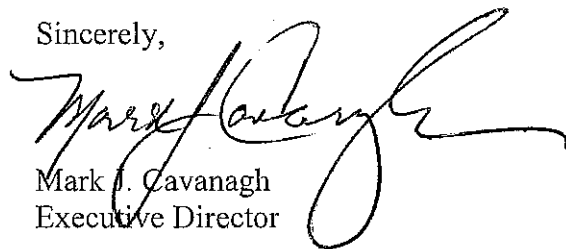
The Massachusetts State Lottery Commission is offering existing non-pouring agents our exciting new product KENO To Go, a transaction which is identical to the already existing on-line games, such as Megabucks and Mass Cash. The Lottery is not providing agents with Keno monitors as part of this program.

In accordance with M.G.L. c 10, section 27A, as amended, you are hereby notified that there are existing agents in your community that are qualified to apply for KENO To Go as listed below:

Mobil #2701
95-97 Westford Drive
Tyngsboro, MA. 01879

If you object to these agents selling KENO To Go, you must do so, in writing, within twenty-one (21) days of receipt of this letter. Please address your written objection to William J. Egan, Jr., General Counsel, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184. Should you have any questions regarding this program or any other issue relative to the Lottery, please call me at 781-849-5555. I look forward to working with you as the Lottery continues its' efforts to support the 351 cities and towns of the Commonwealth.

Sincerely,



Mark J. Cavanagh
Executive Director

Certified Mail – Return Receipt Requested:
7009 0080 0000 7056 0202

CHARLES J. ZAROU LIS LAW OFFICES

40 Church Street
Suite 500
Lowell, MA 01852-2686
978.458.4583
Tel: 978.458.4583
Fax: 978.937.0950

RECEIVED
SEP 27 11 09 AM
TOWN OF TYNGSBOROUGH

September 23, 2010

Board of Selectmen
Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

Date of Services: August 2010

In Reference To: Monthly Report

Legal Services



- 8/2/10 Review Report
 - Michael's PubBuilding Department
- 8/3/10 Two Faxes to M. Dupell
 - Redraft Complaint
 - Albert, Jeffrey & Kelley A.76 Sequoia Drive
Code Violation
Building Department
- 8/4/10 Review Documents
 - Fax to T. Gay
 - Research & Draft Opinion
 - Westford RoadDevelopment, LLC
Potash Hill Kiln
Gift of Land
Historical Commission
Board of Selectmen

8/4/10 E-Mail to M. Gilleberto

- Strategic Financial
Planning Committee
By-Laws
Town Administrator

Review Documents

Research

Telephone Conference

with P. Berman

Draft Opinion

- Connell Construction Corp.
Beaver Run Subdivision
Deer Ridge Estates
Surety
Planning Board

8/6/10 Review Documents

Telephone Conference with

P. Berman

Draft Opinion

- SBA Towers II, Inc.
180 Sherburne Avenue
Cell Tower Special Permit
Planning Board

8/7/10 Review Documents

- Emergency Management
Board of Health

8/9/10 Two Telephone Conferences with
M. Gilleberto

- Veterans Agent
- Tyngsborough Community
Housing Partnership Inc.
Town Administrator

8/10/10 Review documents

- Tyngsborough Community
Housing Partnership Inc.
- Emergency Management
Board of Health

8/4/10 E-Mail to M. Gilleberto
- Strategic Financial
Planning Committee
By-Laws
Town Administrator

Review Documents
Research
Telephone Conference
with P. Berman
Draft Opinion
- Connell Construction Corp.
Beaver Run Subdivision
Deer Ridge Estates
Surety
Planning Board

8/6/10 Review Documents
Telephone Conference with
P. Berman
Draft Opinion
- SBA Towers II, Inc.
180 Sherburne Avenue
Cell Tower Special Permit
Planning Board

8/7/10 Review Documents
- Emergency Management
Board of Health

8/9/10 Two Telephone Conferences with
M. Gilleberto
- Veterans Agent
- Tyngsborough Community
Housing Partnership Inc.
Town Administrator

8/10/10 Review documents
- Tyngsborough Community
Housing Partnership Inc.
- Emergency Management
Board of Health

8/10/10 Telephone Conference with
M. Dupell
- Albert, Jeffrey & Kelley A.
76 Sequoia Drive
Code Violation
Building Department

Conference with A. O'Neill
Review Documents
- Tyngsborough Community
Housing Partnership Inc.
Board of Selectmen

8/11/10 Research
Letter to D. Boyce
- Emergency Management
Board of Selectmen

Letter to P. Berman
- Conflict of Interest
Planning Board

Research
E-mail to M. Gilleberto
- Veterans Agent
Town Administrator

Telephone Conference with
M. Gilleberto
- Veterans Agent
- Club Fleur De Lis
Cedar Street Obstruction
Town Administrator

Preliminary Review of Documents
- Maxamillians Poker Tournament
Police Department

Draft Memorandum
to M. Gilleberto
Review Documents
- Club Fleur De Lis
Cedar Street Obstruction
Board of Selectmen

8/12/10 Telephone Conference with
M. Dupell
- Albert, Jeffrey & Kelley A.
76 Sequoia Drive
Code Violation
Building Department

Telephone Conference with
Atty. M. Bobrowski
- Tyngsborough Community
Housing Partnership Inc.
Board of Selectmen

Telephone Conference with
P. Berman
- Conflict of Interest
Planning Board

8/13/10 E-Mail to Atty. P. Nicosia
- Maxamillians Poker Tournament
Police Department

Review Information
- Veterans Agent
Board of Selectmen

Research
Telephone Conference with
M. Gilleberto
Telephone Conference with
Chief W. Mulligan
- Maxamillians Poker Tournament
Police Department

Telephone Conference
- Conflict of Interest
Planning Board

8/16/10 Review Court Documents
- Shyjan, Michael & Joan
v. Tinnirella, Ann
v. Massachusetts Department of
Environmental Protection,
& the Town of Tyngsborough

& Conservation Commission
Judicial Review
Superior Court MICV2005-01670
Conservation Commission

8/16/10 Telephone Conference with
P. Berman
- Cell Towers
Planning Board

Research
- Maxamillian Poker Tournament
Police Department

Letter to Atty.M. Scheier
- Kendall, Rone
21 Redgate Road
Estate of Regonini
Zoning & Code Violations
Building Department

8/17/10 Review Documents
E-mail to P. Berman
- New Cingular Wireless, PCS
56 Coburn Road
Co-Location Existing Tower
Planning Board

Review Documents
E-mail to P. Berman
- SBA Towers II, Inc.
180 Sherburne Avenue
Cell Tower Special Permit
Planning Board

Telephone Conference with
Atty. P. Nicosia
Research
Fax to Atty. P. Nicosia
- Maxamillians Poker Tournament
Police Department

8/18/10 Telephone Conference with
Zoning Board of Appeals
- Lantry, Thomas
v. Town of Tyngsborough ZBA
Superior Court MICV2006-02491-L
Board of Appeals

Telephone Conference with
Chief W. Mulligan
- Maxamillians Power Tournament
Police Department

8/19/10 Telephone Conference with
T. Gay
Review Licenses
Draft Opinion
Telephone Conference with
M. Gilleberto
- Maxamillians Poker Tournament
Police Department

Telephone Conference with
& E-mail to M. Gilleberto
- Maxamillians Poker Tournament
- Tyngsborough Community
Housing Partnership Inc.
- Club Fleur De Lis
Cedar Street Obstruction
Town Administrator

8/20/10 Final Draft of Opinion
E-mail to Chief W. Mulligan
- Maxamillians Poker Tournament
Police Department

Redraft Opinion
E-mail to A. O'Neill
- Emergency Management
Board of Selectmen

8/23/10 Review E-mail to
M. Gilleberto
- Route 113 Relocation
(Pawtucket Boulevard)
Mass DOT Project
Town Administrator

8/23/10 E-Mail to Vice-Chair
- Club Fleur De Lis
Cedar Street Obstruction
Board of Selectmen

Review Correspondence
- Emergency Management
Board of Selectmen

Review Documents
- Route 113 Relocation
(Pawtucket Boulevard)
Mass DOT Project
Board of Selectmen

8/24/10 Two Telephone Conferences with
D. McPartlan
- Toner, David M.
& Kathleen
Zoning By-Law
& State Building Code Violation
241 Sherburne Avenue
Decision
Board of Appeals

Telephone Conference with
M. Gilleberto
- Route 113 Relocation
(Pawtucket Boulevard)
Mass DOT Project
- Club Fleur De Lis
Cedar Street Obstruction
- Street Acceptance
Marla Circle, Wilson Way,
Alpine Way, Skyline Drive,
Diaz Drive, & Rello Way
Town Administrator

Two Telephone Conferences with
Atty. M. Donahue
- Pacheco, Brad M. v.
Conservation Commission
Superior Court MICV2003-01645
Conservation Commission

8/24/10 Review Correspondence
Fax to M. Dupell
- Albert, Jeffrey & Kelley A.
76 Sequoia Drive
Code Violation
Building Department

8/25/10 Fax to T. Gay
- Maxamillians Poker Tournament
Board of Selectmen

Review Documents
- Tyngsborough Community
Housing Partnership, Inc.
Board of Selectmen

8/26/10 Telephone Conference with
Atty. G. Malonis
- Missick Realty Trust
Planning Board

Review Documents
Fax to M. Dupell
Letter to J. Albert
- Albert, Jeffrey and Kelly A.
76 Sequoia Drive
Code Violation
Building Department

Two Telephone Conferences with
M. Gilleberto
Research
- Maxamillians Poker Tournament
- Tyngsborough Community
Housing Partnership Inc.
Board of Selectmen

Research
Draft Memorandum
- Tyngsborough Community
Housing Partnership Inc.
Board of Selectmen

8/27/10 Conference with M. Gilleberto
& M. Ruderman
- Route 113 Relocation
(Pawtucket Boulevard)
Mass DOT Project
Board of Selectmen

Telephone Conference with
M. Dupell
Draft Letter to J. Albert
- Albert, Jeffrey & Kelley A.
76 Sequoia Drive
Code Violation
- Kendall, Rone
21 Redgate Road
Estate of Regonini
Zoning & Code Violations
Building Department

Review Documents
- Tyngsborough Community
Housing Partnership, Inc.
Board of Selectmen

Two Telephone Conferences with
M. Gilleberto
- Tyngsborough Community
Housing Partnership, Inc.
- Maxamillians Poker Tournament
Board of Selectmen

8/31/10 Research
- Merrimack River (Campground)
Open Recreational Area
Access Regulations
Restrictions & Fees
Town Administrator

Telephone Conference with
Zoning Board of Appeals
Letter to
Forescore Properties, LLC
- Forescore Properties, LLC
11 Westford Road
Zoning Violation
Building Department

8/31/10 Telephone Conference with
M. Dupell
- Toner, David M.
& Kathleen
Zoning By-Law
& State Building Code Violation
241 Sherburne Avenue
Building Department

CHARLES J. ZAROULIS LAW OFFICES

40 Church Street, Suite 500, Lowell, Massachusetts 01852-2686

Telephone (978) 458-4583

Facsimile (978) 937-0950

**Via First-Class Mail
& Facsimile (978.256.7977)**

September 21, 2010

John Gallant, Esq.
Gallant & Ervin, LLC
1 Olde North Road
Chelmsford, MA 01824

File: Tyngsborough

Re: Dupell v. Mical

Dear John:

Please reference my letter of September 2, 2010, to which I have not received a response. I am informed by the Town that Mr. Mical failed to make his August 2010 payment of \$3,333.33, as requested by the September 2008 Agreement.

Please have a check mailed to me, payable to the Town of Tyngsborough.

Thank you.

Sincerely yours,

Charles J. Zaroulis
Tyngsborough Town Counsel

CJZ:ksz

Cc: Ms. Therese Gay, Administrative Assistant

September 23, 2010

Michael P. Gilleberto, Town Administrator
25 Bryants Lane
Tyngsborough, MA 01879

**Victor Santana
Coordinator
Community Investment
Economic Development**

T: 781/907-2205

victor.santana@us.ngrid.com

Dear Mr. Gilleberto:

It gives me great pleasure to introduce myself as a new member of National Grid's Economic Development Community Investment NE team. National Grid's commitment to community is deeply imbedded in its corporate philosophy, and I will strive to maintain an open line of communication with public officials and to respect neighborhood needs and expectations.

National Grid recognizes that strong partnerships with community leaders, like you, are key to customer satisfaction. Furthermore, our community relationships enable us to complete important projects that enhance natural gas and electric system integrity and reliability, promote energy efficiency, as well as ensure continued community safety and well-being.

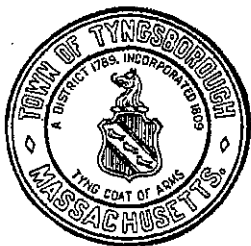
I extend to you my personal commitment to a prompt response to your concerns and those of our customers in your community, whether municipal, residential or commercial. My contact information is provided above and please feel free to reach out if you need my assistance. I look forward to working with you.

Sincerely,



Victor Santana





TOWN OF TYNGSBOROUGH

Office of the Town Administrator

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

E-mail: mgilleberto@tyngsboroughma.gov

TO: Board of Selectmen

FROM: Michael P. Gilleberto, Town Administrator

DATE: October 1, 2010

SUBJECT: Town Administrator's Report for the weeks ending September 17 & 24,
and October 1

Response to Selectmen's Requests

- Attached please find a copy Verizon's response concerning poles and wires on Kendall Road.
- Attached please find a copy of a memorandum to the Board of Appeals per the vote of the Board of September 23rd.
- Town Meeting: a list of potential items and a schedule for preparation is included in your binder.
- The updated goals list is attached to this report.
- Winslow School: Dependable Lock has secured all doors. We are soliciting quotes to secure the windows on the basement level.
- Senior Tax Work-Off: applications are in your binder. 4 candidates have been volunteering since January in the Library and Council on Aging. There are two remaining applicants for 1 position: Rodney Wood and Cheryl Looney. My recommendation is to award 1 position to one candidate and give the other first preference for the 2011 program when we re-open it in January.
- The Town has received certification for the Commonwealth Capital program. We received 39 points. See attached letter. I've spoken with the Sewer Commission's consultant and they are confident that our standing for state funding has significantly improved.
- The following documents were submitted with correspondence last week, and are attached: letter to MassDOT, letter to Superintendent Ciampa, letter to the Planning Board concerning Cedar Street, and appointment letter for Don Crowell.

Budget Status

I've spoken with the Superintendent and the Tyngsborough Public Schools intend to utilize recently-awarded federal education aid to stabilize their budget in Fiscal Year 2012.

The Schools will also be entering into a lease for a pickup truck, and intend to request a warrant article to re-appropriate previously allocated money for floor scrubbers for the truck. The truck cost is approximately \$27,000 and \$10,000 was appropriated for the scrubbers.

Departmental Information

- The Sewer Commission's finalist is before the Selectmen this evening. Resumes of the other candidates may be viewed upon request.
- Wiring and Plumbing/Gas Inspector: applications are in your binder for review. The Town has not properly endorsed a job description for either position, so I am soliciting drafts from other communities. Joseph Smith and Ken Kleynen, who have served as backup inspectors, are willing to continue assisting so that service is uninterrupted.
- Building Inspector: Don Crowell is on as Interim Building Commissioner. He will work Tuesday through Thursday and is on call as needed. Backup coverage is in place as well.
- Departmental hours: a one-pager is attached.
- I am working with the School staff to review alternatives to control flooding issues at the Elementary School access road. There is potential grant funding available that we may pursue. We are also pursuing methods to control the construction of dams by beavers.

Other

- Old Town Hall: I am in contact with the previously-contracted designer to arrange a contract for bid document preparation. The intention is to work within the \$75,000 appropriation from the May Town Meeting.
- The Greater Lowell Chamber of Commerce is sponsoring Town Business Day this Thursday beginning at 7:30 am at Town Hall.
- I will be attending a Manager's seminar after Town Business day on Thursday, hosted by MMMA. There is no cost to the Town.



Michael Gilleberto <mgilleberto@tyngsboroughma.gov>

Concern regarding poles and wires in Tyngsborough

Grassia, Robert E (Bobby G) <robert.e.grassia@verizon.com>

Thu, Sep 30, 2010 at 2:39 PM

To: "Michael P. Gilleberto" <mgilleberto@tyngsboroughma.gov>

Michael...

See Carolyn's response concerning the poles that you inquired about.

There is an engineering work order that has been prepared by Carolyn to RE_PLACE those poles

the work should be done to place the new poles by the end of this month....

please call me if any other questions 978 275 1294

thanks

From: Metcalf, Carolyn K

Sent: Thursday, September 30, 2010 1:20 PM

To: Grassia, Robert E (Bobby G)

Cc: Gallagher, John P (Jay)

Subject: RE: Concern regarding poles and wires in Tyngsborough

I have already drawn a job to replace these poles, jay has it and knows about it. It will be taken care of this month.

carolyn

From: Grassia, Robert E (Bobby G)

Sent: Thursday, September 30, 2010 1:16 PM

To: Metcalf, Carolyn K

Subject: FW: Concern regarding poles and wires in Tyngsborough

Carolyn

can you take a look in Tyngsboro at the location identified in the Town manager's email attached below on KENDALL Road

I told him we would look at the existing condition(s) and advise on a remedy.

thanks

From: Grassia, Robert E (Bobby G)

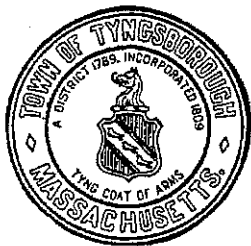
Sent: Thursday, September 30, 2010 1:14 PM

To: 'Michael P. Gilleberto'

Cc: Metcalf, Carolyn K

Subject: RE: Concern regarding poles and wires in Tyngsborough

[Quoted text hidden]



TOWN OF TYNGSBOROUGH


Office of the Town Administrator

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

E-mail: mgilleberto@tyngsboroughma.gov

FROM: Michael P. Gilleberto, Town Administrator 

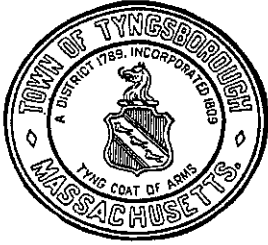
TO: Board of Appeals

DATE: September 30, 2010

RE: Housing Partnership

Please be advised that at their meeting of Monday, September 27, 2010, the Board of Selectmen voted to recommend that the Board of Appeals refrain from approving any plan that transfers property to the Tyngsborough Housing Partnership.

cc: Board of Selectmen
Charles Zaroulis, Town Counsel
Tyngsborough Housing Authority



TOWN OF TYNGSBOROUGH

Office of the Selectmen




25 Bryant Lane

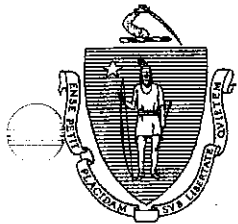
Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

Fiscal Year 2011 Goals

1. Finance/budget
 - a) Budget: FY 2012
 - b) Strategic Financial Plan
 - c) Regionalization Options
 - d) Revenue Alternatives
 - Inspectional Fees
 - Licensing Fees
 - Collections top 10 list
2. Personnel Administration
 - a) Temporary and Permanent Positions
 - b) Labor Negotiations
 - c) Emergency Management
 - d) Animal Inspections
 - e) Assistant Town Administrator
 - f) Human Resources staffing
 - g) Restructuring
3. Economic Development
 - a) Sewer Expansions
 - b) Overlay district
 - c) Design guidelines
 - d) Barn code review
 - e) Town Center fencing
4. Roads
 - a) Road Acceptance – Engineering Review and Pilot Program
 - b) Road Repavement – Schedule and Funding
5. Housing Study and Plan
 - a) Completion of report by NMCOG
6. Recreation
 - a) Campground on Frost Road
7. Energy Efficiency and Alternatives
 - a) Street lighting
 - b) Wind and solar zoning

- 
- 
- 
8. Grant Writer
 - a) Hire grant writing services



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2119

SEP 22 10 17

STATE OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
100 CAMBRIDGE STREET, SUITE 900
BOSTON, MA 02114-2119

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181

September 20, 2010

Mr. Michael P. Gilleberto
25 Bryants Lane
Tyngsborough, MA 01879

Dear Mr. Gilleberto:

The review of the FY11 Commonwealth Capital application for TYNGSBOROUGH has been completed. Your community received a score of **39**, a reduction of 2 points from the score requested. This score is based on the following changes to your application:

Criterion #	Change to Score
7a	0 points awarded, this is a reduction of 3 points. Review of table of uses states special permit by planning board with site plan review for multifamily in R-3.
8a	0 points awarded, this is a reduction of 2 points. Review of zoning states a special permit is approved only upon a determination of the planning board.
9a	0 points awarded, this is a reduction of 2 points. Credit only given for affordable units under an IZ zoning bylaw.
27	3 points awarded, this is an addition of 3 points. Points not requested but DOER indicates that the stretch code has been adopted which qualifies for credit.
34	Based on the information provided by the town and its relationship to the State's Sustainable Development Principles, as well as the number and extent of actions noted TYNGSBOROUGH is awarded 2 points, an addition of 2 points.

The Patrick Administration appreciates your submission of the Commonwealth Capital application and applauds your efforts to make TYNGSBOROUGH a more sustainable community.

Sincerely,

Kurt Gaertner
Executive Office of Energy and Environmental Affairs
Kurt.Gaertner@state.ma.us
617-626-1154



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

E-mail: mgilleberto@tyngsboroughma.gov

September 14, 2010

Ms. Patricia A. Leavenworth, P.E.
District Highway Director
Mass DOT - Highway Division
519 Appleton Street
Arlington, MA 02476
Attention: District Construction Engineer

Dear Ms. Leavenworth:

Thank you for providing representation of the MassDOT-Highway at the August 16, 2010 meeting of the Tyngsborough Board of Selectmen. This letter is sent as a follow-up to questions and issues that were previously relayed via Resident Engineer Brian Polley. Below is a summary of those questions and issues:

- Temporary bridge: there are loose plates on the temporary bridge, and the bridge makes loud noises when vehicles drive over those plates. Some plates also appear to be broken and/or sticking up. Is this an issue that can be corrected? And could you please share the maintenance schedule for the temporary bridge?
- Traffic signalization: are the traffic lights synchronized, and if they are not can they be synchronized or can other steps be taken to alleviate traffic backups during busy times of the day? And is there a battery backup for the signals, in the event power is lost in the area? Also, will the signals on the east and west side of the river be synchronized when the projects are complete?
- Utility pole location: the utility poles have been re-located from the east to the west side of Middlesex Road, interfering with the Town's efforts to enhance the Town Center. The Board has previously expressed its opposition to the re-location of these poles. How can this impact be mitigated?
- Wires on the bridge: it has come to the Town's attention that Comcast wires will be hung overhead on the bridge once completed. This will negatively impact the aesthetics of the bridge. Can these wires be placed in conduit under the bridge?
- Sewer pipes on the bridge: can the Tyngsborough Sewer Commission place a pipe under the bridge, in conjunction with its townwide sewer master plan?

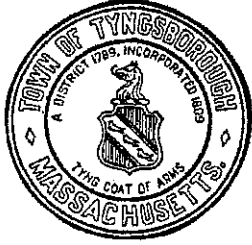
- Overall construction and utility location schedule: what is the timing for the completion of all construction and utility work?
- Former General Store: the Town is very concerned about the appearance of this building. It continues to attract graffiti and vandalism. What can be done to expedite its demolition?

Sincerely,

Michael P. Gilleberto

Michael P. Gilleberto
Town Administrator

cc: Board of Selectmen
Beverly Woods, Executive Director, Northern Middlesex Council of Governments



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

E-mail: mgilleberto@tyngsboroughma.gov

September 14, 2010

Superintendent Donald Ciampa
Tyngsborough Public Schools
50 Norris Road
Tyngsborough, MA 01879.

Dear Mr. Ciampa:

Don -

Thank you for your assisting the Board of Selectmen in hosting the recent State Senate debate. The High School auditorium proved to be an excellent venue for this important event.

I particularly wish to commend the work of George Trearchis and the custodial staff at the high school for their commitment and flexibility in preparing for this event.

Sincerely,

Michael P. Gilleberto

Michael P. Gilleberto
Town Administrator

cc: Mr. George Trearchis
Board of Selectmen

THANKS SO MUCH!



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

E-mail: mgilleberto@tyngsboroughma.gov

TO: Planning Board

FROM: Michael P. Gilleberto, Town Administrator *MP*

DATE: September 14, 2010

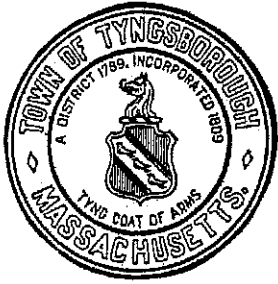
SUBJECT: Cedar Street

At their meeting of August 16, 2010, the Board of Selectmen voted to forward a request of the Conservation Commission relative to the conversion of Cedar Street to a public way to the Planning Board to provide a recommendation. A copy of the request is attached. As you may know, this street runs from Elm Street to Long Pond between parcels 31 B-21 and 31 B-22. I have also printed a GIS map for your information.

Finally, I wish to point out that included in the attached correspondence is a message from Town Counsel Charles Zaroulis regarding the process for converting and accepting public ways for your information.

Please do not hesitate to contact me if you should have any questions.

cc: Board of Selectmen
Conservation Commission
Town Counsel Charles Zaroulis



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 116
Fax: (978) 649-2301

AUG 12 2 10 PM '10

TYNGSBOROUGH, MA

August 11, 2010

Tyngsborough Board of Selectmen
25 Bryants Lane
Tyngsborough, MA 01879

RE: Agenda Request

Honorable Board,

I'd like to request that you schedule time on your next meeting agenda for me to speak to the Board regarding the right of way access on the Cedar Street boat ramp. Thank you for your prompt attention to this matter.

Regards,

Edward Smith
Chairman
Conservation Commission



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 116
Fax: (978) 649-2301

2010 AUG 18 PM 10:21

CLERK OF THE TOWN
TYNGSBOROUGH, MA.

TO: Tyngsborough Board of Selectmen
FROM: Tyngsborough Conservation Commission
DATE: August 11, 2010
RE: Petition Filing to Formally Accept a Town Way – Cedar Street

Honorable Board,

The Conservation Commission submits this letter as a petition filing to formally accept the Town Way known as Cedar Street.

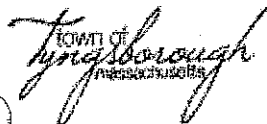
The Town Way known as Cedar Street had been accepted by Town Meeting Warrant Article and majority vote on May 21, 1986.

Tyngsborough's General Counsel, Charles Zaroulis has recently recognized that the required laying out (survey) and filing with the Registry of Deeds was not acted upon following Town's acceptance of Cedar Street. To this finding, the Tyngsborough Conservation Commission submits this petition to correct a Town action for accepting Cedar Street that had not been properly brought to closure as required by M.G.L. Chapter 82, Sections 22-24.

Respectfully,

Samela A. Beeman for

Edward Smith
Chairman
Conservation Commission



Michael Gilleberto <mgilleberto@tyngsboroughma.gov>

Street Acceptance Procedure

2 messages

Charles J. Zaroulis <charles.zaroulis@verizon.net>

Mon, Jul 26, 2010 at 6:44 PM

To: "Michael P. Gilleberto" <mgilleberto@tyngsboroughma.gov>

Dear Michael:

The below is for your information:

REQUIREMENTS FOR THE LAY OUT AND ACCEPTANCE OF TOWN WAYS

M.G.L. c. 82, §§ 22 - 24, requirements for the layout and acceptance of Town ways are as follows:

1. Usually, a petition is filed with the Selectmen to lay out the way.
2. The proposed layout must be referred to the Planning Board for its recommendation.
3. The Board of Selectmen vote to lay out the way.
4. All interested parties must be given at least seven (7) days written notice of the Board of Selectmen's intention to lay out the way. The notice must be left at the landowner's usual residence or delivered in person to such owner or to his authorized agent or his tenant. If the owner of the land is not known, notice must be posted in a public place in the town at least seven (7) days before the laying out.
5. The way must be laid out by the Board of Selectmen by a formal vote specifying, by courses and distances, the location of the way.
6. The order of laying out must then be filed with the Town Clerk at least seven (7) days before the Town Meeting.
7. The Town Meeting article for the acceptance of the layout and the appropriation of any necessary funds must appear in the Warrant.
8. The Town Meeting then votes to accept the layout of the way and, if necessary, the appropriation of funds.
9. Should the appropriation require necessary funds to be borrowed, there must be a two-thirds (2/3) vote.
10. If any land taking is necessary, the order of taking must be adopted by the Board of Selectmen within thirty (30) days after the close of the Town Meeting.
11. The order of taking must be recorded with the Registry of Deeds within one hundred twenty (120) days after its adoption by the Board of Selectmen.
12. A certificate of entry and possession must be recorded within two (2) years after the date of the order of taking.

8/11/2010 2:19 PM

13. Immediately after the order of taking has been recorded, written notice must be given to every person and/or mortgagee whose property has been taken or who otherwise may be entitled to damages.

Please note that items 2, 3, 4, 5, 6, 7, 8, and 12 are mandatory; and items 9, 10, and 11, if required, are also mandatory; but items 1 and 13 are not mandatory as to the validity of the laying out and acceptance.

Note well and also read the requirements of the Town By-Laws, Article IV, which provides, in part:

1. Under Section 3, the way must be constructed in accordance with Section 7;
2. Section 7 requires certain plans, construction of the street according to the Planning Board regulations, and other requirements.
3. Actions taken pursuant to Section 4 must comply with M.G.L. c. 82; and
4. Eight-five per cent (85%) of the owners must sign releases.

Charles J. Zaroulis, Esq.
40 Church Street, Suite 500
Lowell, Massachusetts 01852-2686
Tel: 978.458.4583
Fax: 978.937.0950
E-mail: charles.zaroulis@verizon.net

Michael P. Gilleberto <mgilleberto@tyngsboroughma.gov>

Tue, Aug 10, 2010 at 1:25 PM

To: Rich Lemoine <rlemoine@tyngsboroughma.gov>, Rich Lemoine <lemoine4@verizon.net>

Rich-

Terry is off this week but I am checking her voice mail and received your message.

Below is an outline that Charles has previously sent me. I hope that it helps.

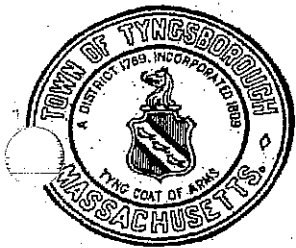
Also, as a head's up, Ed Smith is asking to appear before the Selectmen on Monday night concerning the road adjacent to the Fleur De Lis. Ashley has asked me to request him to send additional information in writing in advance.

Mike

[Quoted text hidden]

--
Michael P. Gilleberto
Town Administrator
Town of Tyngsborough

8/11/2010 2:19 PM



TOWN OF TYNGSBOROUGH

Board of Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2314 Fax: 978 649-2310

June 30, 2010

Mr. Charles J. Zaroulis, Esq.
40 Church Street Suite 500
Lowell, MA 01852

Re: Cedar Street Right of Way

Dear Charles,

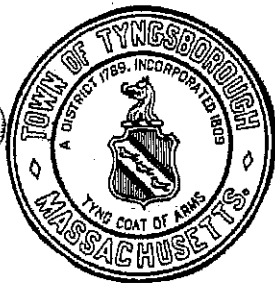
Enclosed you will find correspondence from the Conservation Commission Office in regards to Cedar Street. Please review the documents and advise the Board as to the next step to take.

If you have any questions please call me at 978 649-2314.

Thank you.

Sincerely,


Therese Gay



**Town of Tyngsborough
Conservation Commission**

25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 116
Fax: (978) 649-2301

June 25, 2010

Board of Selectmen
25 Bryants Lane
Tyngsborough, MA 01879

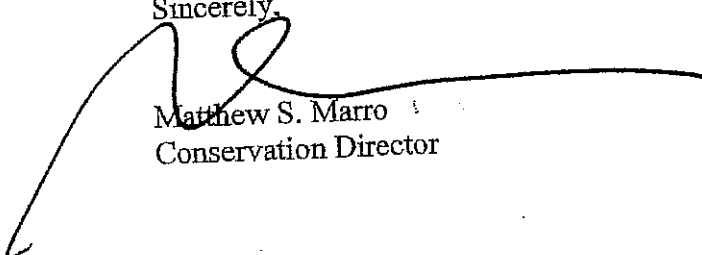
RE: Cedar Street Right of Way

Honorable Board,

The Conservation Commission has completed its ownership evaluation of the Cedar Street Right of Way. Attached is the report and plan of land prepared by Land Engineering & Environmental Services, Inc. This report clearly details the property lines of the street. In addition, several boundary markers were placed to visually delineate those property lines on the street.

After consulting with the Commission, it is their understanding that Cedar Street was accepted as a town road in 1987, however, the road was never properly taken by the Board of Selectmen at the time of acceptance. Therefore, the Commission requests that the Board of Selectmen execute an Order of Taking of the Cedar Street Right of Way in order to legally establish the Town's ownership of this road.

Sincerely,


Matthew S. Marro
Conservation Director

/pab
attachment

CEDAR STREET
TYNGSBORO, MA

SURVEY REPORT

Land Engineering and Environmental Services, Inc. was contracted by the Town of Tyngsboro to determine the location of Cedar Street and mark it out on the ground. Research was conducted and a field survey locating monumentation in the area was completed between April 20 and April 22, 2010. The location of Cedar Street marked in the field reflects information shown of a plan entitled "Plan of Elm Street in Tyngsborough, Mass. as laid out in 1937 and accepted by the town.", prepared by James E. Kendall Surveyor, Dunstable, Mass. dated May 1951, unless otherwise noted.

First, the location of Elm Street in the vicinity of Cedar Street needed to be established. Monumentation shown on record plans (pl. bk. 175 pl. 18 and pl. bk. 217 pl. 210) was recovered east of Cedar Street and used to establish the location of Elm Street between Alder and Birch Street. The deed distance shown on the Cummings plan (pl. bk. 56 pl. 55) was held to establish the angle point in Elm Street east of Cedar Street. A stone bound in the base of a tree and a drill hole as shown on a plan recorded in plan book 117 plan 92A were also recovered at the south side of Elm Street at Birch Street (see accompanying plan). A distance of 118.0 feet was the held from the angle point of the south side of Elm Street west to the easterly sideline of Cedar Street (deed bk. 19986 pg. 165, pl bk. 56 pl. 55).

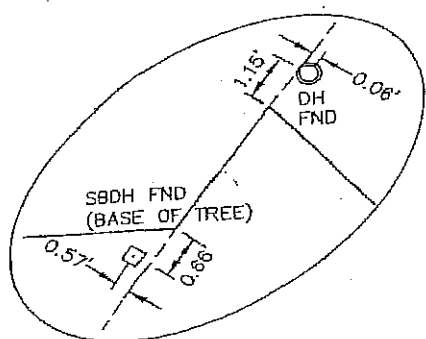
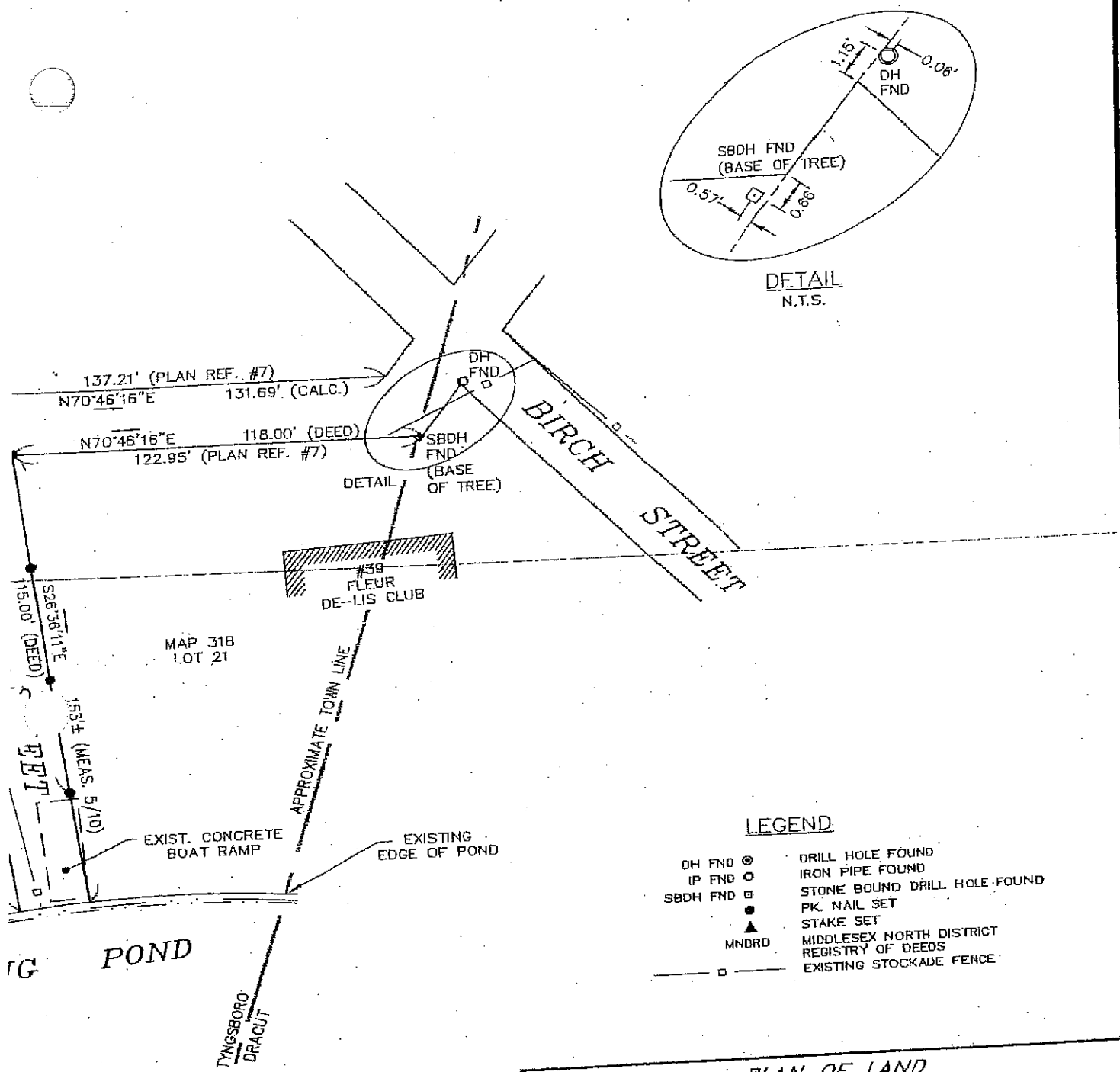
Several iron pipes shown on a plan prepared by Gabor Szava-Kovats (pl. bk. 119 pl. 1) were also recovered and held to establish the location of Elm Street. The angular relationship between Cedar Street and Elm Street was determined from the Cummings plan (pl. bk. 56 pl. 55).

Accompanying this survey report is a plan titled "Plan of Land in Tyngsboro, Massachusetts, Cedar Street" dated May 25, 2010 prepared by this office depicting the area and showing what markers were set in the field.



6/3/10

CONSERVATION COMMISSION
10 JUN -4 AM 10:04



DETAIL
N.T.S.

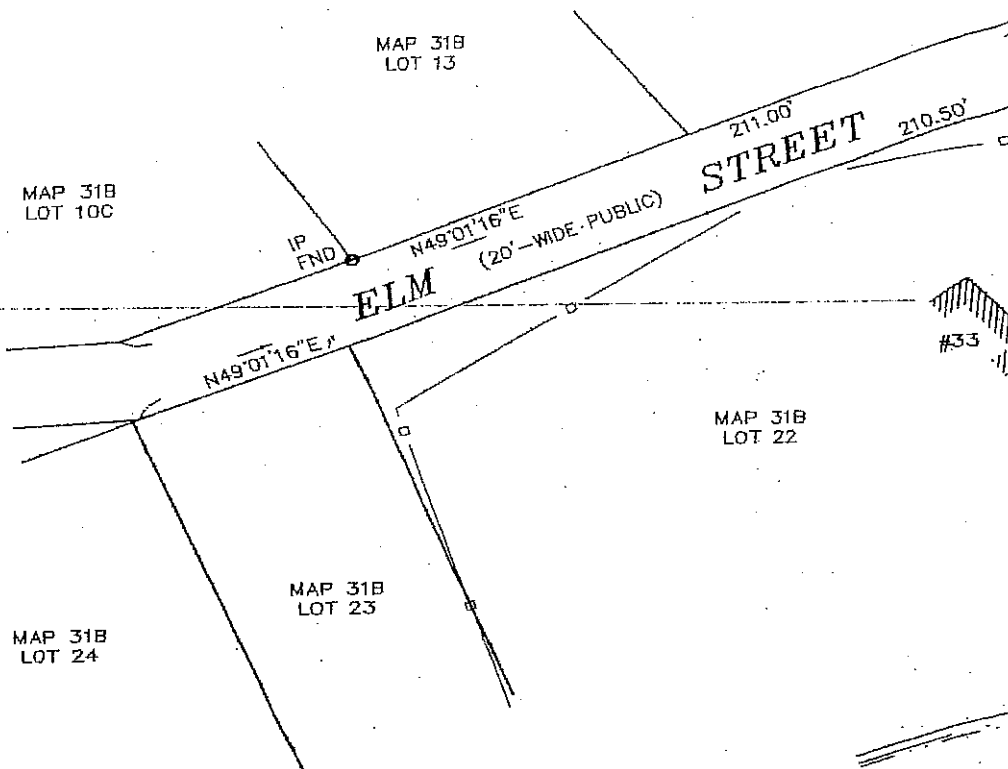
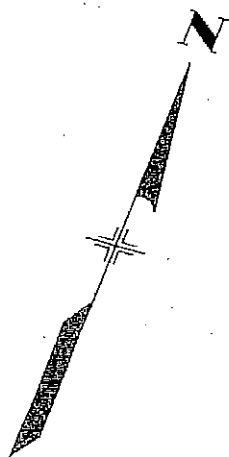
LEGEND

- DH FND DRILL HOLE FOUND
- IP FND IRON PIPE FOUND
- SBDH FND STONE BOUND DRILL HOLE FOUND
- PK. NAIL SET
- STAKE SET
- MNDRD MIDDLESEX NORTH DISTRICT
REGISTRY OF DEEDS
- EXISTING STOCKADE FENCE



6/3/10

PLAN OF LAND IN TYNGSBORO, MASSACHUSETTS ———+————— CEDAR STREET			
SCALE: 1"=30' JOB # 23101	DATE: JUNE 1, 2010	SHEET 1 OF 1	REV.
PREPARED FOR TOWN OF TYNGSBORO 25 BRYANT LANE, TYNGSBORO, MASSACHUSETTS ———+————— PREPARED BY Land Engineering & Environmental Services, Inc. 130 Middlesex Road, Tyngsboro, Massachusetts 01879 Telephone (978) 649-4642			



NOTES:

1. PROPERTY LINE INFORMATION TAKEN FROM DEEDS AND PLANS OF RECORD, AND A FIELD SURVEY DONE BY THIS OFFICE.

2. PLAN REFERENCES:
M.N.D.R.D.

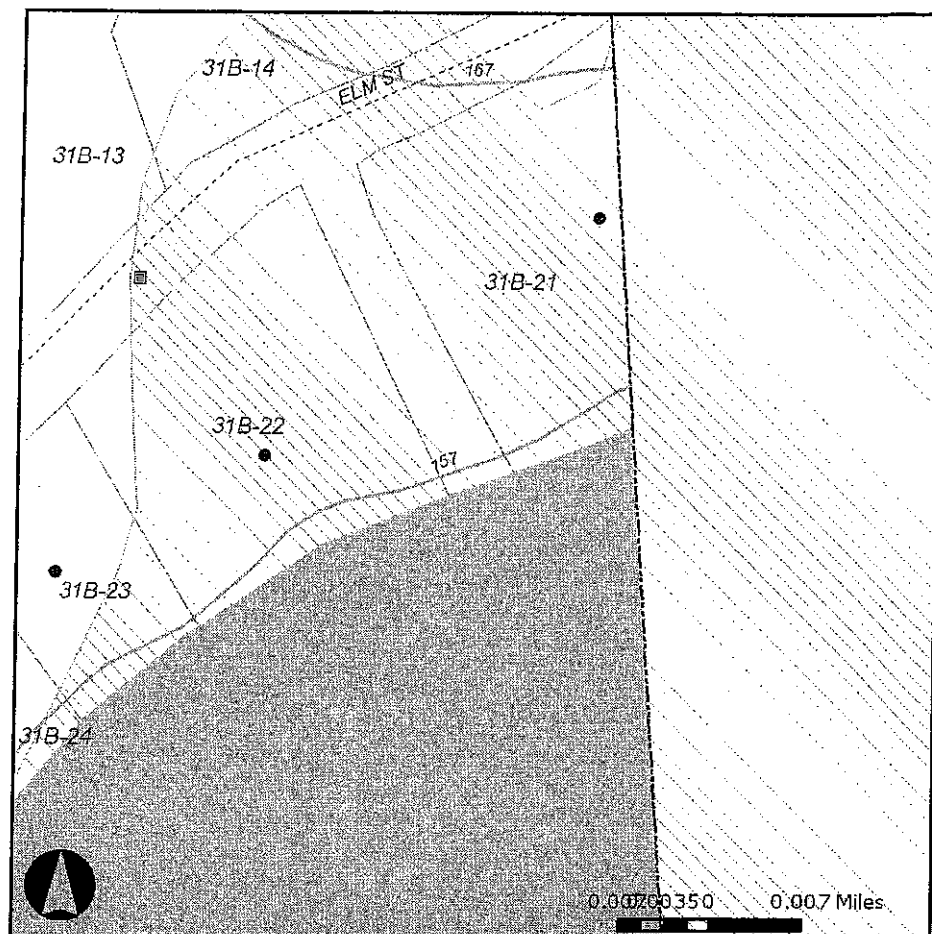
1. PLAN BK. 56 PL. 55
2. PLAN BK. 140 PL. 64
3. PLAN BK. 119 PL. 1
4. PLAN BK. 117 PL. 92A
5. PLAN BK. 175 PL. 18
6. PLAN BK. 217 PL. 110
7. PLAN OF ELM STREET IN TYNGSBOROUGH MASS, AS LAID OUT IN 1937 AND ACCEPTED BY THE TOWN, DATED MAY 1951.

GRAPHIC SC



(IN FEET)
1 inch = 30 f

Map



Roads

ROAD

Town Boundary

Areas of Special Concern

Culverts (427)

Drain Outfalls (148)

Drain Man Holes (912)

Catch Basins (2651)

Spillways (12)

Contours of Elevation (10 meter basis)

88 - 118

119 - 147

148 - 177

178 - 206

207 - 236

237 - 275

276 - 305

306 - 344

345 - 374

375 - 423

Roads

Water Features

Open Water

Wetlands Features

Bog

Deep Marsh

Shallow Marsh Meadow or Fen

Shrub Swamp

Wetlands Features (continued)

Wooded Swamp Coniferous

Wooded Swamp Deciduous

Wooded Swamp Mixed Trees

Flood Plain

500 Yr Floodplain

100 Yr Floodplain

100 Yr Floodplain (Exact)

Property Parcels

Zoning Districts

Business 1

Business 2

Business 3

Business 4

Industrial 1

Residential 1

Residential 2

Residential 3

Street Finder (1)

Roads (1)



FID	ROADNAME	DISPLAY	DISTINFEET	JURISDICTION	Shape_Length
84	ELM ST		1561.9457710655	2	476.27903813793273



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

E-mail: mgilleberto@tyngsboroughma.gov

September 14, 2010

Mr. Donald Crowell
28 Krystal Road
Hudson, NH 03051

Dear Mr. Crowell:

This letter serves to notify you of your appointment to the position of Interim Building Commissioner for the Town of Tyngsborough.

Your work schedule will be Tuesday, Wednesday, and Thursday from 7:30 am to 3:00 pm, and emergencies as needed. Your appointment is subject to the following conditions: completion of state-mandated conflict of interest training.

An annual salary of \$37,584 will be pro-rated to a weekly salary of \$720.00 during your interim service. This interim position is a non-benefitted union position, and does not provide vacation, personal, or holiday pay. As we have discussed, the salary reflects use of your personal vehicle and fuel at your expense.

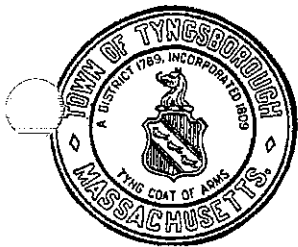
As we have discussed, it is the Town's intention to make a permanent, full-time appointment within 90 days.

Thank you for your continued commitment to the Town of Tyngsborough.

Sincerely,

Michael P. Gilleberto
Town Administrator

cc: Board of Selectmen
Kerry Colburn-Dion, Town Treasurer



TOWN OF TYNGSBOROUGH
Office of the Town Administrator
25 Bryants Lane
Tyngsborough, MA 01879
Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

TOWN HALL HOURS

Monday through Thursday: 8:30 am to 4:00 pm
Friday: 8:30 am to 12:30 pm

Department Walk-In Hours

Board of Assessors	Mon, Tues, & Thurs 8:30-4:00; Fri 8:30-12:30
Conservation Commission	Mon-Thurs 9:00-4:00*; Fri 9:00-12:30
Inspectional Services	
Board of Health	Mon & Thurs 8:00-2:00; Wed 8:00-3:00
Board of Health: Bulky Item Stickers	Monday and Wednesday 8:30-12:30
Health Inspections	Mon-Thurs 8:30-2:30
Building Department Window Hours	Mon-Thurs 8:30-2:30**; Fri 8:30-11:30
Building Inspections	Tues-Thurs 7:30-3:00 and by appointment
Plumbing/Gas Inspections	Tues & Thurs by appointment
Wiring Inspections	Tues & Thurs by appointment
Media Programming	Mon-Fri by appointment
Planning Board	Mon-Thurs 9:00-4:00*; Fri 9:00-12:30
Recreation Department	Mon 8:00-3:30; Wed 8:00-1:30; Fri 8:00-12:30
Town Accountant	Mon-Thurs 8:30-4:00; Fri 8:30-12:30
Town Administration (Selectmen/Administrator)	Mon-Thurs 8:30-4:00; Fri 8:30-12:30
Town Clerk	Mon-Thurs 8:00-4:00; Fri 8:00-12:30
Town Collector	Mon-Thurs 8:30-4:00; Fri 8:30-12:30
Town Treasurer	Mon-Thurs 8:30-4:00
Veteran's Services	Mon-Thurs 7:30-1:00; Fri 7:30-12:30

*-closed 12:30-1:15; **-closed 11:45-12:30